

## SENATE

THURSDAY, April 15, 1926

(Legislative day of Monday, April 5, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Lenroot	Sheppard
Bayard	Fletcher	McKellar	Shipstead
Bingham	Frazier	McKinley	Shortridge
Blease	George	McLean	Simmons
Borah	Gerry	McMaster	Smith
Bratton	Gillett	McNary	Smoot
Broussard	Glass	Mayfield	Stanfield
Bruce	Goff	Metcalf	Stephens
Cameron	Greene	Moses	Swanson
Capper	Hale	Neely	Trammell
Caraway	Harreld	Norbeck	Tyson
Copeland	Harris	Nye	Wadsworth
Couzens	Harrison	Oddie	Walsh
Cummins	Heflin	Overman	Warren
Curtis	Howell	Phipps	Watson
Deneen	Johnson	Pine	Wheeler
Dill	Jones, N. Mex.	Pittman	Williams
Edge	Jones, Wash.	Ransdell	Willis
Ernst	Kendrick	Reed, Pa.	
Fernald	Keyes	Robinson, Ark.	
Ferris	King	Sackett	

Mr. PHIPPS. I desire to announce that my colleague, the junior Senator from Colorado [Mr. MEANS] is absent on account of illness.

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

THOMAS JEFFERSON

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial written by former United States Senator William E. Chilton, of West Virginia, on Thomas Jefferson, which appeared in the Charleston, W. Va., Gazette of April 13, 1926.

The VICE PRESIDENT. Without objection, it is so ordered. The editorial is as follows:

THOMAS JEFFERSON

Whether Thomas Jefferson was born, as he said, on April 2, or, as some of the encyclopedias say, on April 13, constitutional freemen all over the world will in this month, consciously or unconsciously, pay a tribute of respect and love to the man, the patriot, the philosopher, the naturalist, the historian, the statesman, and the politician who accomplished more with his pen and his example to anchor in our institutions the true safeguards of liberty than any other American. He won, as he deserved, the confidence of the public to such an extent that, even while he was minister to France, his advice was sought by the leaders of America in framing the Constitution, and after he had retired to private life and had settled down at Monticello to enjoy the quiet of a farmer's life his opinion was sought and freely given, not only by Americans but by strugglers for liberty all over the world.

History does not give anything but the high spots of his life. The school children know that he wrote the Declaration of Independence, was the leader in Virginia in abolishing the law of primogeniture, and wrote the clause in the Virginia constitution divorcing church from state; was minister to France, member of the House of Burgesses of Virginia, member of the Continental Congress, Governor of Virginia, Secretary of State in Washington's Cabinet, Vice President of the United States, and President of the United States from 1801 to 1809, and that he seized the opportunity to buy from France the Louisiana territory which embraces most of the United States west of the Mississippi River. His fight for the general education of the people crowns him as the author of our free-school system, and his founding of the University of Virginia shows that he believed in higher education. It is not in politics, as modernly understood, that he reached his high place in the hearts of freemen. To him public office was merely an opportunity for service. To him glory and honor must come by merit and achievements, and this field is open in private life as well as public.

In the epitaph which he suggested for his monument, no mention is made of his holding public office. The three things which he suggested for the shaft over his grave were the authorship of the Declaration of Independence, the Virginia resolution for religious freedom, and the founding of the University of Virginia. These he regarded as achievements of lasting merit. In his mind anyone could be Secretary of State, Vice President, or President, but to prepare a chart of freedom, such as the Declaration of Independence; to lead a people like the Virginians, whose forefathers had been accustomed to an established church, and to whom primogeniture was a part of the warp and woof of the organization of society, to discard these things and organize

themselves upon the new idea, that an individual's relation to his God was his own affair, and that, since all men were born free and equal before the law, the law of primogeniture was a violation of that doctrine, required ability, patience, courage, and all the elements of great leadership. It takes close research into the innermost workings of politics and government, and patient investigation of the current literature of the times to understand the herculean task before Jefferson when he organized the Republican, now known as the Democratic, party.

Washington, Adams, Patrick Henry, Charles Carroll, John Rutledge, Luther Martin, John Marshall, Fisher Ames, and J. A. Bayard belonged to the party of Alexander Hamilton, in many respects one of the great men of the world. Hamilton was a consummate politician as well as a learned, thoughtful statesman and philosopher. He was a financier who stood as premier in his class, in the judgment of the world. As Secretary of the Treasury in Washington's Cabinet, Hamilton took charge of the finances of the young Republic when it was in debt and without resources and boldly fought and schemed until he got the National Government to assume the debts of the States, contracted during the Revolutionary War, and at once so organized the finances of the country that its obligations immediately went to par, its credit was restored, and the industrial institutions of the country became prosperous. It took courage and sacrifice upon Hamilton's part to do this, because the States were jealous of their institutions, and they feared the power of a strong Government. However, when the success of Hamilton's plans became evident, and the people, under the influence of the confidence which that success inspired, went to work, Hamilton was probably the most popular and highly respected man in the United States. He was a frank, manly, courageous man, who could maintain a cause in any company, and he was not backward in taking charge for the Federalist Party, in its eminently successful days during the administration of Washington from the adoption of the Constitution until 1797. Washington trusted Hamilton, because he understood the latter's ability and was grateful for his eminent services to the country.

When Washington retired from office Alexander Hamilton was the acknowledged leader of the Federalists, and his word was practically law. He was the "leader of the leaders" of that party, and these leaders sought his opinion and relied upon his judgment with implicit faith. There was one thing about Alexander Hamilton which prevented Jefferson from being in political sympathy with him. They were good friends and Jefferson trusted in Hamilton's honesty. But in the Constitutional Convention Hamilton had advocated a life term for the President and for the Senators. He did not believe in popular government. His idea was that the intelligence and the wealth of a country should govern it. He expressed himself frankly to this effect, and his appeal was always to the men of wealth and intelligence, feeling that the great masses of the people were not competent to manage public affairs.

Jefferson was a landowner and a slave owner, and was as much subject to the charge of being an aristocrat as anyone in Virginia. But he had that peculiar power that enabled him to divorce himself from his own interests and environment and to look deep into the merits and philosophy of every problem and the vision to look forward to the future. He saw at once that the doctrines of Hamilton were consistent only with a monarchy, and his heart longed for a new experiment in the New World, with a truly representative government, in which the people at frequent intervals could express themselves at the polls and name their own representatives and fashion their own laws. He saw that the necessary tendency of Hamilton's policies was toward plutocracy and the government of the few, and his knowledge of human nature taught him that the guaranties of the Constitution would be a mere mockery under such a government. He knew that there could be good monarchs but no good monarchies, good plutocrats but no good plutocracies. He understood that life is short and that the underlying principles of government could not be built around the life of any good man, not even Washington. A wise and humane king, like Gustavus Adolphus, was merely a king for one life and might be succeeded by a monster. Marcus Aurelius in Jefferson's eyes held for a span a position, to be disgraced later by some hereditary tyrant or imbecile. He could find no way of evading the note of humanity and justice in the Declaration of Independence that all men must be equal before the law, and this he could not reconcile with hereditary kings or life tenures. His insistence upon a bill of rights and specific guaranties came from his wise deductions that powers grasped or assumed by good officials for commendable purposes could be used by bad officials to rob or enslave the people. He foresaw that the resources of this country would develop immense wealth for the few, and he understood that there would be complicated problems arising out of the motley population which would be coming to this free country, and that our differences in soil, climate, and local habits and customs would make diversified and complex interests, which could not be accommodated to anything but a popular government, based upon the intelligence and the virtue of all the people. Hence he wanted the people educated and then vested with the burden of preserving these free institutions.

The views of Hamilton were put to the test during the administration of John Adams, whose administration was Federalist in the extreme, and was without the poise and the humane ideals which Wash-

ington had put into the Government. Jefferson saw that almost any kind of a policy would be all right under a man like George Washington, but the country found out that the ideas of Hamilton would not work under a man like John Adams. The latter and his leaders forced upon the country the alien and sedition laws, under which a free press and free speech were denied to the country, and some of the best citizens were dragged before partisan courts and put into dungeons for expressing their opinions of Government and its officials. Even the adherence of Washington to the Federalist Party could not save it after such an exhibition of the difference between Hamilton's doctrines, in the hands of weak men, and Jefferson's principles. The result was, the founding of the Democratic Party, the election of Jefferson to the presidency, and the enthronement of that interpretation of the Constitution which has given the people popular government and has gradually removed all the restriction upon the franchise.

The greatest compliment to Jefferson is the fact that every political party which has ever been organized and has reached a national status has professed to be founded upon his principles. He was not a mere idealist. He was practical, sensible, thoroughly human, reasonable, tolerant, just. In his lifetime he was called a liar, a revolutionist, an atheist, and looked upon by the select wealthy few as an enemy to law and order; and yet he could not be tempted to advise anything but orderly, constitutional methods, and remedies. His obsession was that there could not be, in a Democratic republic, a few born to rule, while the great masses paid the bill and must take what is handed to them by their supposed superiors. By this rule he squared every contention about the Constitution. He was jealous of the power of Federal courts and predicted that these courts would, on account of the life tenure of the judges, become arbitrary and ready to grasp at powers not intended to be conferred upon them. For this he was criticized and called an enemy of courts, but the conflicts of jurisdiction between State and Federal courts since have fully demonstrated that his foresight was beyond that of any other living American of his time. In the temptation to take short cuts, in the demand to have bureaucratic government, which seems now to possess all branches of government, and in the solution of the complex problems which our wealth and resourcefulness have precipitated, there can be no permanence under any other policy than that of Thomas Jefferson.

If we solve a difficult question to-day by the time-serving methods of Hamilton, we only make a precedent for those who happen to be on the other side, to spring when they get into power. Jefferson's theory was, that if the people make mistakes, so do kings. He understood that it is human to err, and that governments must be founded so as to make it easy to correct errors. His broad mind comprehended the fact that confidence is not one-sided. No one has the complete confidence of another unless he gives that other his complete confidence. No people can be trusted unless they are trusted, and Jefferson saw no way, nor has the mind of man yet conceived a way, by which there can be a successful government of the people so organized or managed that a few can seize it.

#### INDEBTEDNESS OF ITALY TO THE UNITED STATES

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6773) to authorize the settlement of the indebtedness of the Kingdom of Italy to the United States of America.

Mr. SMOOT. Mr. President, I desire to inquire if there is any Senator who desires to speak on the Italian debt settlement.

If not, I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. Without objection, the unfinished business will be temporarily laid aside.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6730) to detach Fulton County from the Jonesboro division of the eastern judicial district of the State of Arkansas and attach the same to the Batesville division of the eastern judicial district of said State.

The message also announced that the House insisted upon its amendment to the bill (S. 41) to encourage and regulate the use of aircraft in commerce, and for other purposes; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PARKER, Mr. COOPER of Ohio, Mr. MERRITT, Mr. RAYBURN, and Mr. LEA of California were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8830) amending the act entitled "An act providing for a comprehensive development of the park and playground system of the National Capital," approved June 6, 1924; requested a conference with the Senate on the disagreeing votes of the two Houses

thereon, and that Mr. ZIHLMAN, Mr. GIBSON, and Mr. BLANTON were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9833. An act to amend section 6 of the act of May 29, 1884, creating the Bureau of Animal Industry by striking out the proviso in section 6 of said act; and

H. R. 10860. An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations and to increase the efficiency of the Lighthouse Service, and for other purposes.

#### PETITION AND MEMORIAL

Mr. OVERMAN presented a petition of sundry citizens of Catawba County in the State of North Carolina, which was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD without the names, as follows:

##### PETITION TO CONGRESS AGAINST COMPULSORY SUNDAY OBSERVANCE

Believing—

1. In the American principle of the complete separation of church and state;

2. That Congress is barred by the first amendment to the Constitution from enacting any law enforcing "the Lord's day" as "holy time," or establishing religious observances by civil legislation, or giving one "sect or sects" an advantage above others;

3. That the observance of "the Lord's day" as "holy time" is an act of worship, and that honorable "labor," "amusements," "entertainments," and "secular business" can be forbidden only for religious reasons on Sunday;

4. That such legislation is detrimental to the best interests of both church and state; and

5. That all such legislation by Congress establishes a dangerous precedent, is unjust, discriminatory, religious, un-American, and unconstitutional, and should be opposed by every American lover of liberty of conscience and of true American ideals of freedom in religion: Therefore

We, the undersigned, adult residents of Catawba County, State of North Carolina, earnestly petition your honorable body not to pass any of the following compulsory Sunday observance bills, H. R. 10311, H. R. 10123, H. R. 7179, or H. R. 7822, now pending, or any other compulsory religious measure that may be introduced. Religious observances should be voluntary, not forced under penal codes.

Mr. WILLIS presented a resolution adopted by the directors of the Ohio Manufacturers' Association, protesting against the passage of the so-called Smith bill, being the bill (S. 2808) to amend section 24 of the interstate commerce act, as amended, which was referred to the Committee on Interstate Commerce.

#### REPORTS OF COMMITTEES

Mr. STEPHENS, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1752) for the relief of the Near East Relief (Inc.) (Rept. No. 598); and

A bill (S. 2733) for the relief of the State of North Carolina (Rept. No. 599).

Mr. GOODING, from the Committee on Interstate Commerce, to which was referred the bill (S. 2929) to authorize the refunding of certain evidences of indebtedness issued by carriers in interstate commerce, and for other purposes, reported it with amendments and submitted a report (No. 600) thereon.

#### ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that to-day that committee presented to the President of the United States enrolled bills of the following titles:

S. 1550. An act to appropriate certain tribal funds for the benefit of the Indians of the Fort Peck and Blackfeet Reservations; and

S. 3186. An act to promote the production of sulphur upon the public domain within the State of Louisiana.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON of Arkansas:

A bill (S. 3985) to convey to the Big Rock Stone Co. a portion of the hospital reservation of the United States Veterans' Hospital No. 78 (Fort Logan H. Roots), in the State of Arkansas; to the Committee on Finance.

By Mr. HALE:

A bill (S. 3986) granting a pension to Annie F. McGown (with accompanying papers); to the Committee on Pensions.



By Mr. ERNST:

A bill (S. 3987) granting an increase of pension to Martha J. Wilson (with accompanying papers); to the Committee on Pensions.

A bill (S. 3988) to provide for the establishment of the Shenandoah National Park in the State of Virginia, the Great Smoky Mountains National Park in the States of North Carolina and Tennessee, and the Mammoth Cave National Park in the State of Kentucky, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SHIPSTEAD:

A bill (S. 3989) to extend the time for the construction of a bridge by the city of Minneapolis, Minn., across the Mississippi River in said city; to the Committee on Commerce.

By Mr. CAMERON:

A bill (S. 3990) for the relief of George K. Jones; to the Committee on Military Affairs.

A bill (S. 3991) to provide for an investigation of the feasibility of irrigation development within the drainage area of Trout Creek, Ariz.; to the Committee on Irrigation and Reclamation.

By Mr. SHEPPARD:

A bill (S. 3992) for the purchase of land for use in connection with Camp Marfa, Tex.;

A bill (S. 3993) for the relief of W. E. Ayers; and

A bill (S. 3994) for the relief of Charles Evans Conkling; to the Committee on Military Affairs.

By Mr. NORBECK:

A bill (S. 3995) granting a pension to Freeman F. Whited; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 3996) granting to the State of New Mexico certain lands for reimbursement of the counties of Grant, Luna, Hidalgo, and Santa Fe for interest paid on railroad-aid bonds, and for the payment of the principal of railroad-aid bonds issued by the town of Silver City, and to reimburse said town for interest paid on said bonds, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. REED of Pennsylvania:

A bill (S. 3997) to amend section 301 of the World War veterans' act, 1924; to the Committee on Finance.

By Mr. SHIPSTEAD:

A joint resolution (S. J. Res. 93) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920; to the Committee on Public Lands and Surveys."

#### PRINTING OF THE CONSTITUTION AND DECLARATION OF INDEPENDENCE

Mr. MOSES submitted the following concurrent resolution (S. Con. Res. 12), which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That the Constitution of the United States as amended up to April 15, 1926, together with the Declaration of Independence, be printed as a Senate document, with index, and that 3,500 additional copies be printed, of which 1,000 copies shall be for the use of the Senate and 2,500 copies for the use of the House of Representatives.*

#### HOUSE BILLS REFERRED

The following bills were each read twice by title and referred as indicated below:

H. R. 9833. An act to amend section 6 of the act of May 29, 1884, creating the Bureau of Animal Industry, by striking out the proviso in section 6 of said act; to the Committee on Agriculture and Forestry.

H. R. 10860. An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations and to increase the efficiency of the Lighthouse Service, and for other purposes; to the Committee on Commerce.

#### PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on April 14, 1926, the President approved and signed the joint resolution (S. J. Res. 61) authorizing the Federal Reserve Bank of Chicago to enter into contracts for the erection of a building for its branch establishment in the city of Detroit, Mich.

#### FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM (H. R. DOC. NO. 317)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

#### To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities, for the fiscal year ended June 30, 1925, in connection with the Foreign Service retirement and disability system, as required by section 18 (a) of an act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes, approved May 24, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, April 15, 1926.

[Inclosure: From the Secretary of State, with accompaniment.]

#### EXPENSES OF DELEGATES TO INTERNATIONAL SANITARY CONGRESS (H. R. DOC. NO. 316)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

#### To the Congress of the United States:

I transmit herewith a report by the Secretary of State concerning the request made by the Secretary of the Treasury that an appropriation of \$2,500 be obtained from Congress for the expenses, as itemized in the report, of three delegates of the United States to the International Sanitary Conference, which is to meet at Paris on May 10, 1926, for the purpose of revising the International Sanitary Convention of 1912.

I ask of Congress legislation that will authorize the appropriation of this moderate amount for the purpose stated, and the inclusion of the appropriation in the next deficiency act for the fiscal year 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, April 15, 1926.

#### HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. KING. Mr. President, the bill (H. R. 9398) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, has been on the calendar for a number of days. I have sought to have it taken up for consideration pursuant to promise. It relates to the National Press Club Building. It is quite important that a speedy disposition shall be made of the bill because financial arrangements must be entered into or consummated respecting its construction. I am opposed to the bill, but I feel that the Senate ought to have an opportunity to act upon it. I therefore ask unanimous consent that we may proceed to its consideration. It will take but a little while.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9398) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, which was read, as follows:

*Be it enacted, etc., That an act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, be, and it is hereby, amended by adding at the end of paragraph 5 of said act the following proviso:*

*"And further provided, That the building to be erected on lots 813, 814, and 820, in square 254, located on the southeast corner of Fourteenth and F Streets NW., be permitted to be erected to a height not to exceed 140 feet above the F Street curb."*

Mr. KING. Mr. President, I regret that I can not see my way clear to support the pending measure. The people of Washington as well as the people of the Nation have been and are interested in the Capital of this Republic. There is a universal desire that it shall be a beautiful city, architecturally and artistically, and in harmony with those standards which should apply to the Capital of this great democratic Republic. Nations have been judged by their architecture. Buildings have voices and speak not only to the age in which they are constructed, but to succeeding ages.

If Washington had been constructed in conformity with the plan which was in the minds of Washington and L'Enfant, it would have presented a more beautiful appearance than it does to-day. One does not need to be aesthetic or artistic to appreciate how woefully lacking Washington is in those elements of beauty—architectural and otherwise—which should characterize the city of the greatest Nation in the world.

For years we have been building without a plan, and the pleas of those who have been solicitous for the proper development of the city have too often fallen upon deaf ears. Streets



dedicated to residences have been and are being destroyed for such purposes, physical and construction irregularities in all parts of the city are being permitted, deviations from a system of proper development which would enhance the beauty of the city are permitted with but little protest, the beautiful suburbs are being ruined, undulating hills, crowned with trees, are being destroyed, and additions are being laid out without proper coordination with the city, and sections which should be reserved for residential purposes are being invaded by business houses and street car lines, so that if conditions continue unchecked for two or three more decades, it will be almost impossible to rectify the mistakes made and correct the deformities which have been permitted and are still being permitted.

One does not need to be an artist or an architect or a city planner or possessed of æsthetic tastes in order to understand what these departures mean to the city of Washington and to what extent they impair the beauty of the city and the harmony of its development. From time to time efforts have been made to check the growing evils of which I have spoken and to establish a plan which would meet the desires and ideals and aspirations not only of the people of Washington but the people of the United States. But they have proven if not abortive, at least not wholly successful. And may I add, Mr. President, that the inhabitants of the District of Columbia are not the only ones interested in the Capital City of our country. The people of the United States are taxed to aid in maintaining the District government and in building a beautiful Capital for the Nation. They have a right to expect that the city shall not be marred and that its development shall be along proper lines and that as it is developed, it will more and more challenge the admiration of the world because of its architectural beauty and those characteristics which contribute to the raising of a city to a high standard of artistic beauty.

Washington is not an industrial center. It never will be a Pittsburgh or New York or Chicago. The people of Washington do not wish this, nor do the people of the United States. We are soon to appropriate \$50,000,000 for further public buildings. That money comes from the Treasury of the United States and from the taxpayers of our country. The expenditure of that large sum will undoubtedly add to the beauty of Washington. Those buildings should be constructed with reference to and in subordination to a plan which should be promptly worked out for their construction. They should be built with reference not only to the fiscal needs of the Government but with reference to the symmetry and harmony and beauty of the city.

I am told that former committees of Congress, who have considered the plans and policies for the District of Columbia, have felt that there should be restrictions upon the height of buildings, though they were perhaps too dilatory in taking action in the matter. In 1910, however, they passed an act which fixed the height of buildings at 110 feet in the business part of the city. In the residential section of the city a different rule was adopted. As I am advised, the zoning commission adopted a maximum height of 110 feet for the business districts, although they had authority to lower but not to increase this limit.

Prior to the establishment of the zoning regulations the Munsey Building upon Pennsylvania Avenue and the Willard Hotel, facing the same avenue, were erected. The height of each of these buildings exceeded the limit fixed in the later statute. However, in front of the Munsey Building there is not only the Avenue but another street and a parkway, so that between the curb in front of the building and the curb to the south the distance is perhaps 300 feet. There might be justification for permitting a greater height where a building was constructed upon so wide a street and with an area as wide as that in front of the Munsey Building and also in front of the Willard Hotel.

Most of the business streets of Washington are rather narrow. F Street is 100 feet in width and Fourteenth Street, between the Willard Hotel and the site of the proposed Press Club Building is 110 feet. The Willard Hotel, facing F Street, is 138 feet high. The building opposite the proposed Press Club Building (the Westory Building) is 110 feet in height. I repeat, the law permits the zoning commission to grant permits for buildings to be erected to a height not to exceed 110 feet. I am told that this law received full consideration at the hands of Congress and was not enacted until the whole subject had been fully canvassed and the requirements of the District and the people of the District fully considered.

The view was that this was not to be a great commercial city, that there should be, so far as possible, a substantial uniform skyline and buildings constructed in conformity with

architectural plans, to be approved by proper officials of the District of Columbia, including the Fine Arts Commission. It was hoped that the devastating activities in the city would cease and that the vandalism and destruction which were ruining the beauty of Washington might be halted, and that a new spirit would animate those who built and planned, so that a city beautiful might be erected which would meet the aspirations and the desires of the American people.

In my opinion, Congress acted wisely and the zoning commission has sought to carry out the law in good faith and according to its letter and spirit. I freely confess that in other cities a different plan might, with propriety, be adopted and the character of the city and the needs of the people and the nature of the enterprises and business and industries engaging the people, regarded.

I know there are many who do not see any objection to skyscrapers in the narrow streets of Washington, or irregular sky-lines or an entire lack of uniformity in streets, in business sections, and in the residential sections.

Mr. President, a person may be a shrewd business man and interested in business enterprises, and yet be deeply concerned in the symmetry and beauty and harmony of a city such as Washington. Some of the great business men of our country are profoundly interested in public buildings, in beautiful structures, in art, in museums, and in all things that make for the cultural and intellectual and spiritual development of the people. I am a good deal of a utilitarian and try to understand the business needs and requirements of our country and of our great cities. I have been able, however, to distinguish Washington from other cities and have taken the position that it was to be distinguished from the marts of trade and commerce and the industrial and business centers of the United States.

As I came into the Chamber a few moments ago, the Washington Post was handed to me and I noticed a very striking cartoon which shows the vandalism and destruction taking place in the suburbs of Washington. Beautiful trees and forests are being uprooted and torn asunder by the vicious and hungry bites of a mechanical dragon representing a steam shovel, and by this same monster, hills are being leveled and the surrounding beauties of Washington destroyed.

I am afraid that too many of us see the purely materialistic side of life and are imbued too much with the business and commercial spirit of the hour. It is quite likely, from what I can learn, that this bill will be passed. It has been widely advertised, and the importance of its passage has been emphasized and stressed. Reference has been made to the fact that it is a building erected by the Press Club, and I have been told that there should be no opposition to the wishes of the press.

Mr. President, no one has greater appreciation of the contributions which the newspapers of the United States have made and are making to liberty and to civilization than I have. The press is a mighty weapon in behalf of freedom and justice. No one, of course, living in a democratic country would deprecate the influence and power and the necessity of a vigorous and honest press. No one can deny the obligation which the American people are under to the newspaper men of our country. But members of the press are entitled to no greater rights than other citizens. And organizations in which they are interested are entitled to the same and no greater rights than are enjoyed by other organizations. Indeed, knowing hundreds of splendid, able, and patriotic newspaper men, and some of the proprietors of important newspapers and magazines throughout the country, I know that they desire no favors for themselves which they are unwilling shall be granted to others. Undoubtedly they believe that the construction of the National Press Club Building will be of benefit to the city and add to its beauty. They believe that the commissioners and the other officials to whom I have referred did not wisely exercise the discretion vested in them, or at least that they should have recommended a departure from the maximum limit of 130 feet. These views are shared by many Senators and doubtless by many people. I make no complaint, and accord to others the fullest liberty to advocate such measures and such policies as they deem proper. I am sure the newspaper men, with their well-known liberality of views, will have the same respect and regard for the views of those who differ from them as they do for those who are in harmony with them.

This question should be considered upon its merits, aside from those who are interested in the building or who are promoting the enterprise. If it is proper to pass this bill, it should be passed, and passed promptly. If not, it should be defeated. I have felt that I could not give my support to the bill, but have been desirous of having the Senate pass upon it at the earliest possible moment, so that those who are interested in



the erection of the building might make their plans accordingly and not be halted in the work which they are about to undertake.

Colonel Bell, one of the Commissioners of the District, wrote me on the 3d instant concerning the pending measure and inclosed a copy of the letter from the chairman of the Fine Arts Commission relative to the same. Colonel Bell states:

I have discussed this matter informally with all the members of the zoning commission except Major Grant, who is out of the city to-day, and the zoning commission concurs in the recommendation of the board of commissioners.

I might say, Mr. President, that when we were having a hearing upon the District of Columbia appropriation bill Major Grant, in response to a question which was propounded to him by myself, stated that he approved of the regulations which have been adopted by the zoning commission and stood by their views with respect to the proposed building.

I have a copy of a letter here, which was sent to me by Colonel Bell, from Mr. Charles B. Moore, the chairman of the Commission of Fine Arts, which is dated March 26, 1926, and reads as follows:

DEAR MR. WEBSTER: The Commission of Fine Arts at their meeting on March 25 considered your letter of March 11 in regard to the height of the building under construction at Fourteenth and F Streets NW.

The commission are unanimously of the opinion that the zoning laws as established should be observed according to their letter and their spirit. No special legislation should be enacted to give one person or a group of persons rights that are not extended to all other persons similarly situated. If the building under construction is "to be erected to a height not to exceed 140 feet above the F Street curb," then all buildings along F Street should be allowed to be built to that height.

The plans as submitted to the commission provide for a setback. The Commission of Fine Arts regard setbacks as desirable when properly regulated. The regulation of them should be carefully considered and should be made to apply throughout the city.

That letter is signed by the chairman of the Fine Arts Commission. It will be observed, Mr. President, that the commission unanimously recommends that the zoning laws as established should be observed according to their letter and spirit.

I have here a copy of a letter which was transmitted by Mr. Cuno Rudolph, chairman of the Board of Commissioners of the District of Columbia, to the Senator from Kansas [Mr. CAPPER], chairman of the District Committee of the Senate. It is dated March 4, 1926, and in it the following language appears in part:

The Commissioners of the District of Columbia have the honor to submit the following on Senate bill 3190, Sixty-ninth Congress, first session, entitled "A bill to amend an act entitled 'An act to regulate the height of buildings in the District of Columbia,' approved June 1, 1910," which was referred to them for report touching the merits of the bill and the propriety of its passage.

During the last session of Congress a bill—

Giving the number of it—

was enacted which permitted the Harrington Hotel to carry a new building to the height of 130 feet, although the height prescribed by the zoning regulations is 110 feet, the maximum for any property within the District of Columbia under the height prescribed by the zoning regulations. The height permitted at the location for the Harrington Hotel under the act of Congress approved June 1, 1910, was 130 feet, and the commissioners were of the opinion that that height should be permitted in that case, because the building proposed would then be the same height as the adjacent building, and the height not in excess of that prescribed by the act of Congress of June 1, 1910.

The building adjoining it, as I am advised, was constructed prior to the zoning regulations and the passage of the law to which I have invited attention. Congress, some people think, made a mistake when it modified the 1910 act and permitted the Harrington Hotel to rise to a height of 130 feet and gave the commissioners and other officials the power to grant permission for future buildings to be erected to a height in excess of 110 feet. However, that bridge has been crossed, and the question is, Shall we further modify the law and raise the maximum to 140 feet?

Further reading from the letter:

The commissioners are of the opinion that their recommendation in the present instance should be consistent with their recommendation with respect to the Harrington Hotel case.

There are higher buildings adjacent to the proposed Press Club Building, namely, the Willard Hotel and the Munsey Building, and it is believed that a height of 130 feet, which would be consistent with

the act of Congress of June 1, 1910, should be permitted. To comply with this requirement the word "forty" in line 1, on page 2, should be changed to "twenty."

Mr. President, the Senate is now advised as to the views of the commissioners, the Fine Arts Commission, and the zoning commission. Shall we follow their recommendations or shall we ignore them? As stated, I should be exceedingly gratified if I could support the bill. I have presented to the Senate what little I have to say upon this matter, and shall leave the question for their determination.

I might add one further statement. Already persons have been to see me, asking if they will be granted the same privilege as that provided in the pending bill. A representative of a corporation, which is to construct a building on New York Avenue, told me that if his company could obtain permission to construct a building to the height of 140 feet, it would immediately proceed upon the undertaking and erect a fine structure costing several millions of dollars.

Undoubtedly, if this bill passes, Congress will be importuned by others to modify the existing law and to pass special bills in their behalf. I submit to Senators, will it be wise? If the measure before us is enacted, where shall the line be drawn? There are amendments now pending to the bill under consideration to extend its provisions to the entire square upon which the Press Club Building is to be erected, as well as to other squares upon other streets in the city. We should consider the matter with the utmost care, with an eye single to the best interests of this Capital City, the inhabitants of the District of Columbia, and to the welfare of our country.

Mr. COPELAND. Mr. President, I find myself in the fullest accord with practically everything the Senator from Utah has said. I know how devoted he is to the community, to the city, and to the District. I am in harmony with his ideas about beautifying the city, about maintaining restrictions which will insure for all time that it will be the model city of the country. In regard to this particular building and the block in which it is located, I took the view in the Committee on the District of Columbia that if we should change the restriction as regards this particular lot we should take the entire block and make a uniform height for that block.

However, there is ample justification for the request of the Press Club. The height of the Willard Hotel given by the Senator from Utah applies to its frontage on Pennsylvania Avenue. On F Street it is 158 feet high.

Mr. KING. Mr. President, I beg the Senator's pardon. Major Wheeler, with whom I spoke this morning, said that on Pennsylvania Avenue the height of the Willard Hotel was substantially as the Senator said, and on F Street 138 feet. I think the Senator reversed it.

Mr. COPELAND. That may be true; but, so far as the Munsey Building is concerned, which is in the same block, the elevation of that building is 156 feet and 8 inches.

Mr. KING. Mr. President, will the Senator pardon me an interruption right there?

Mr. COPELAND. Yes.

Mr. KING. The Munsey Building, I think, is entirely too high. I think permission ought never to have been granted to erect it to its present height, but this much must be said with respect to it: It is on Pennsylvania Avenue, and there is a large vacant space, a large area in front of it, and I think from curb to curb the street must be—and I am only speaking now from my recollection of the situation—perhaps 150 or 200 feet.

Mr. COPELAND. I think it is.

Mr. KING. That would make a difference, and yet I do not plead that by way of justification for the height to which the Munsey Co. was permitted to erect its building.

Mr. COPELAND. Mr. President, after hearing the testimony in the District Committee, it was my proposal that we make the height of buildings in that block 150 feet. I think the first bill which was brought in regarding the Press Club building allowed a height of 150 feet, but afterwards, finding out what was the height of other buildings, it seemed wise to accept the House bill and recommend a limit of 140 feet.

The Senator from New Jersey [Mr. EDWARDS] has offered an amendment, which I promised to call attention to and send forward to the desk, to make the height of all the buildings in that block 140 feet. In connection with that amendment, I have here and have promised to put into the RECORD a petition from the owners of property in that entire block asking that the height of buildings in the block be made 140 feet.

I ask unanimous consent to have this petition inserted in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:



We, the undersigned property holders in square 254 of the District of Columbia, do respectfully petition the Senate for an amendment to H. R. 9398, which was passed by the House and is now on the Senate Calendar, by which all the property holders in the said square shall receive the same rights under the said bill as are to be bestowed on the National Press Building Corporation.

We respectfully represent that it is only a matter of fairness and right that if one-quarter of this square is to be exempted from the building limit of 110 feet that the other three-quarters of the square receive the same privilege.

Lots 38, 809, 810, 819, 37, 23, 44, 821, 801, 22, 46, 815, 45, 47, 824, 807, 808, 43, 805, 801, 811, 812, and 803.

Columbia Barber Co., George Miller, secretary; D. Loughran Co. (Inc.), J. W. Loughran, president; D. Loughran Estate, J. W. Loughran, agent; F. V. Killian; Anchor Theatrical Corporation (Inc.); Brownley Investment Co.; Rapley Theater Co., W. H. Rapley, president; C. C. Willard Estate, by Clare Willard, secretary; Henry A. Willard Estate, by J. M. Kirby, agent; Sarah B. Willard Estate, by J. M. Kirby, agent; the Munsey Trust Company, C. H. Pope, vice president; John J. Schwartz; C. Henrich; Mary T. Milovich.

Mr. COPELAND. As regards the press building, the Senator from Utah and every other Senator realize that in recent years the overhead expense of every great building has increased so materially that the possibility of having one floor additional may make all the difference between success and failure in the operation of the plant. We are all agreed in the committee. The engineer commissioner was present and said that he could see no particular objection to placing the height of the building at 140 or even 150 feet. I think the zoning commission is entirely right in insisting upon the rule and that there should not be light reasons given for a change in the rule. I think the commission is entirely right in that; but in this instance, where the sky line now is far above 110 or even 130 feet, there is every reason in the world why this building should be permitted to be built to a height of 140 feet.

So I hope, Mr. President, that in spite of the logic and the argument and the good faith of the Senator from Utah the Senate will agree to the proposal and permit this building to be built to a height of 140 feet.

Mr. CAPPER. Mr. President, I am sorry that it is necessary for me to differ with the Senator from Utah in regard to this bill. It had full consideration by the Senate Committee on the District of Columbia, and the recommendation made by the committee was agreed to by every member of the committee except the Senator from Utah. A very representative delegation from the National Press Club was present and presented arguments in a very strong way for the enactment of the legislation. As the Senator from New York has said, the engineer commissioner was present and, while stating that the commission did not feel that it would indorse or recommend the passage of the bill, yet it had no objection to it.

Mr. Moore, of the Fine Arts Commission, was unable to be present, but he sent word that he felt that it would be better if all the buildings in that block might be of the same height, but he offered no objection to the passage of the bill.

Mr. KING. Mr. President, will the Senator yield?

Mr. CAPPER. I yield.

Mr. KING. I do not see how the Senator can make those statements in the face of these written statements by Mr. Moore and by Colonel Bell. Those men are guilty of duplicity and insincerity if they write this to me and to the commission and then make the statements which the Senator attributes to them. I want to say to the Senator that I talked with Major Wheeler only a day or two ago, and he said that the commission, the zoning commission and the Fine Arts Commission, adhered to the statements which I have read to the Senate this morning.

Mr. CAPPER. I only know what Commissioner Bell had to say at the meeting of the committee when a large number of people were present.

Mr. KING. Here is his letter to me, which I have read this morning.

Mr. CAPPER. As to Mr. Moore, his latest statement was made after he had gone into the matter further; and while he did not withdraw his objections, he said that the commission would have no objection to that height if it could be applied to the entire block. So I certainly hope that the bill as it comes from the House will be passed.

Mr. BRUCE. Mr. President, I am interested in the amendment to this bill which has just been read. Under that amendment a business concern desires to exercise the same privilege in the square between New York Avenue and G Street and

Fifteenth Street that would be exercised by the Press Club under the provisions of the bill itself.

Personally, I am heartily in favor of the license desired by the Press Club being granted to it, not only because I think that there are reasons why it is peculiarly entitled to consideration as respects the height to which it proposes to erect its building, but for general reasons.

I differ absolutely from the Senator from Utah with respect to the expediency of imposing height limitations on buildings in the business section of Washington. While, of course, the views of the District Commissioners upon that subject are entitled to a high degree of respect, they are, as far as I am concerned, by no means binding or conclusive; and I, for one, have no objection, whenever a real occasion for doing it arises, to setting aside the general restrictions of the zoning law to which the Senator from Utah has referred, or any other building law applicable to the District.

It seems to me that the Senator from Utah is asserting his nice artistic scruples in the wrong place. He reminds me a little bit of the astronomer in *Æsop's Fables*, who was so busy scanning the skies that he tumbled over into a well.

Mr. KING. The Senator is scanning the skies. He wants a high building. I do not. I want to keep on the ground.

Mr. BRUCE. No; the Senator entered into all sorts of nice refinements. Of course, we all know that the Senator has the same tendency as the rest of us to go up into the air at times, and I do not wish to impose too harsh restrictions upon his ascents. I say, however, that it seems to me that he is placing the emphasis in the wrong place. What this town needs more than anything else is some plan under which the area or the areas in it that should be set aside for public purposes would not be invaded by residential or business buildings.

As respects the extension of public building construction in this city, it can be said with as much truth as it can be said with respect to anything, in the language of the Scriptures, that—

Where there is no vision, the people perish.

Fifty, sixty, seventy years ago, if as far back as that the pecuniary resources of the Government were equal to such an achievement, this Government should have acquired all the property on either side of Pennsylvania Avenue from the Treasury Department down to the National Capitol. Then, indeed, as time went on this great Capital of ours would have been distinguished by the noblest, the most impressive, the most beautiful group of public buildings in the whole wide world, more beautiful than anything that Paris can offer, more beautiful than anything that Vienna can offer, more beautiful than any collection of buildings in the world in the form of a city. But Washington is a city of lost artistic opportunities. Though the idea that I am now outlining has been repeatedly suggested, it never has been followed up as it should have been. Consequently the development of the public-building side of Washington has been allowed to proceed in a hopelessly desultory, haphazard, and random sort of way.

The Government has bought land and erected public buildings here and there on it without reference to any comprehensive plan of any kind, building the Pension Building here, erecting or purchasing a building for the Department of Commerce there, both north of Pennsylvania Avenue, and erecting other scattered public buildings in other places, and even buying old buildings and reconstructing them for public purposes. In an artistic sense, all or much of that expenditure of money is absolutely lost, as much as if it were engulfed in the waters of the Pacific or the Atlantic. The same mistake, because of the same lack of vision, foresight, and expert skill, is now about to be repeated in the public buildings bill which we will have under consideration in a day or so at the most. There, again, Congress is asked to appropriate \$50,000,000 for the purchase of sites for public buildings and for the erection and reconstruction and purchase of public buildings in the city of Washington. The geographical limits within which that money is to be expended are not defined in the bill. Buildings may be erected or purchased north of Pennsylvania Avenue or south of Pennsylvania Avenue; sites may be purchased north of Pennsylvania Avenue or south of Pennsylvania Avenue; existing public buildings may be reconstructed north of Pennsylvania Avenue or south of Pennsylvania Avenue. The bill, to use the language of the poet, is "a mighty maze without a plan"; and the very gall in one of my physical organs begins to diffuse itself through my frame when I read the declaration in that bill that all public buildings erected under the bill are to be standardized, as if they were to be so many dry goods boxes on a colossal scale.

I propose to touch on those matters later. Let the Government, I say, make up its mind, under competent direction, as to



how the plan of public building construction in this city is to unfold, and then let it adhere to that plan. When it makes up its mind I assume that it will make it up under the very best professional advice.

If the resources of the Government are not equal at present to the purchase of all property of every description on either side of Pennsylvania Avenue from the Treasury Department down to the Capitol, it should at least take initial steps for the final acquisition of the last remnant of that property, much of which it owns already. And when some enlightened public building plan has been adopted by the Government, then I should share the scruples, perhaps I might call them the aerial scruples, of the Senator from Utah. I would not allow any business or residential structure to be built upon that avenue or near enough to it to mar its beauty as improved for public purposes.

So with the residential sections of the city. Of course, there should be a proper zoning law shutting out business buildings of one sort or another from those sections. In other words, I would have a great area for the erection of public buildings. I would have other great areas for residential purposes, and then I would have areas for business purposes, because the people of Washington are entitled to have their private business provided for in every respect. Within those business areas I would not impose any limitation upon the height of buildings whatsoever.

What right has the Senator from Utah to say that the material interests of the people of this city should be sacrificed to the fact that Washington happens to be the National Capital? In doing that, he reminds me of a Japanese trying to tie an oak down to the dimensions of a flower pot. This city has put on a pair of seven-league boots. It is growing with most remarkable rapidity. I have had occasion, as a member of the Committee on the District of Columbia, to go out to its suburbs and everywhere are evidences of growth, of expansion, of extension. The fact is that the business interests of this town are assuming no small degree of importance. Its retail-store interests, of course, are of very great importance; and I understand that to some extent industries are beginning to spring up within or just outside the limits of the city. Why should any artificial clogs of any kind be imposed upon the business progress of Washington in localities where business can properly be allowed to spring up; that is to say, consistently with what is due to the public-building area or areas of Washington and its residential area or areas?

So, naturally enough, entertaining these general views, I think that this privilege ought to be accorded to the Press Club. What harm will it do to anybody? They are about to erect a splendid building, which will be one of the architectural ornaments of Washington. Certainly I do not know any influence in American public life that is better entitled to a local habitation and a name than the American press. It was only a night or so ago that I heard a speaker repeat that pithy observation of Thomas Jefferson, that if he had to take his choice between government without newspapers and newspapers without government he would choose the latter; and so would I, because without newspapers there is no such thing as intelligent and incorrupt government.

So let the gentlemen of the press have their building. Let it rise into the air as high as they may desire, indeed, to as lofty a height as the aspirations of a free press itself rise. Then let these enterprising people for whose benefit my amendment has been offered have their building, too, with a height of 140 feet above the G Street curb. It, as I have said, would be in the block between New York Avenue and G Street, on Fifteenth Street. What harm would it do to anybody to have that building ascend to a height of 140 feet above the G Street curb? If it interfered in anyway whatever with the public building ideas that I have suggested, I should oppose it, and oppose it with all the power that lies in me, because I would not willingly see any structure of any kind, residential or business, erected at any place, which would interfere with the orderly evolution of the public building growth of Washington.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from North Carolina?

Mr. BRUCE. I yield.

Mr. SIMMONS. I concur, in a general way, with the observations of the Senator from Maryland. I think that he is absolutely right with respect to the business section of the city. I am inclined to think he is right in respect to the other sections of the city. But I wanted to ask the Senator this question. Aside from his general proposition, does he not think that at this particular location there is a difference in favor of his proposition from the situation in some other sections of the

city? Just across the street, as we all know, and as has been referred to in the discussion, is the Willard Hotel. It fronts both upon F Street and upon Fourteenth Street. The proposed building will front upon F Street and upon Fourteenth Street; on the other side of Fourteenth Street. The Willard Hotel is 138 feet high, as I understand it.

Mr. BRUCE. Yes.

Mr. SIMMONS. The Press Club Building is limited to 130 feet, and according to my conception that will mar both the sightliness and the symmetry at that point. If the Press Club is allowed to build to the height of the Willard or, indeed, higher—

Mr. BRUCE. Two feet higher is the proposition.

Mr. SIMMONS. Will that not better conserve symmetry at that point than if it should be limited to 130 feet?

Mr. BRUCE. As I look at the matter, the preservation of symmetry as respects the height of buildings in business sections of a city is a matter of no material importance whatsoever.

Mr. SIMMONS. That I have conceded; but if the contrary view shall obtain as to the city at large, at that particular point would not the symmetry be better preserved by allowing this new building to be 140 feet than by limiting it to 130 feet by reason of the fact that on the opposite corner the building is 138 feet high?

Mr. BRUCE. I agree entirely with the Senator, and I confess that that aspect of the matter has escaped my observation. I thank the Senator for saying what he has said. In other words, a height of 140 feet, the Senator from New York will understand, promotes a degree of symmetry that a height of only 130 feet would impair. So if there is to be any consideration of the elevation of these two buildings at all—the building mentioned in the bill proper and the building mentioned in the amendment—it is better, so far as symmetry is concerned, that the height of the buildings should be 140 feet rather than 130 feet. The difference would be so trifling it would be hardly visible to the eye.

Mr. SIMMONS. In the other instance it would be quite marked.

Mr. BRUCE. Yes; it is, as far as lineal measurement goes, but so far as visualization goes the matter would be one of very little importance.

As I have intimated, for the purpose of my argument it is not necessary to stop there. I do not want to see any unreasonable limitation imposed upon the business growth of Washington. There is no reason why this city should not have its large business interests.

Mr. FLETCHER. Mr. President, may I inquire of the Senator whether he recalls the height of the building on the northwest corner of Fourteenth and F? I think it is a pretty tall building.

Mr. KING. That is 110 feet high.

Mr. BRUCE. The Munsey Building is about 158 feet high.

Mr. FLETCHER. What is the height of the building just south of this building on Fourteenth Street, occupied by the Bureau of Public Roads?

Mr. KING. It is less than 100 feet high.

Mr. BRUCE. The Senator from Florida brought out another highly relevant fact in connection with the discussion; that is to say, that on Fourteenth Street, at the point to which he referred, there is that marked irregularity.

In conclusion I want to say that my friend, the Senator from Utah, knows that I was indulging in a little awkward playfulness when I spoke of him as going up in the air. According to my political connections and limited stock of political ideas, I know of no Member of this body who is more in the habit of keeping his feet on the earth than is the Senator from Utah. If that were not true, I could not afford to say it because usually my feet are planted right where his are planted. If he ever gets up into the air, it is perhaps because it is congenial with his nature to breathe an ether that is just a little more wholesome than the air nearer to the earth. I say that much because my relations with the Senator from Utah and my respect for him are such that I could not afford for one single moment to have him form any misconception as to anything that I might say.

The PRESIDING OFFICER (Mr. WILLIAMS in the chair). The pending amendment will be stated.

The CHIEF CLERK. The amendment offered by the junior Senator from New Jersey [Mr. EDWARDS] proposes to strike out lines 7 to 11, inclusive, in the following words:

And provided further, That the building to be erected in lots 813, 814, and 820 in square 254, located on the southeast corner of Fourteenth and F Streets NW., be permitted to be erected to a height not to exceed 140 feet above the F Street curb.



And to insert the following language:

*And provided further,* That buildings to be erected in square 254, bounded by Fourteenth Street, F Street, Thirteenth Street, and E Street NW., be permitted to be erected to a height not to exceed 140 feet above the F Street curb.

Mr. KING. Mr. President, if it had not been for the concluding statement of the Senator from Maryland I should have been inclined to draw the sword and endeavor to give him as good as he gave me.

Mr. BRUCE. The Senator is perfectly capable of doing it.

Mr. KING. The Senator's speech reminded me of a title to a book written in the thirteenth century. Before giving the title I shall briefly refer to the scope of ground and circumambient atmosphere covered and penetrated by my friend from Maryland. He spoke about the Bible and the necessity of vision in Aesop's Fables, the Japanese flower pot and the oak, the failure of Congress to adopt and follow a harmonious plan for the development of Washington. He exhibited greater familiarity with aerial matters than I possess and seemed willing to soar into the skies or at least to build into the nether blue. He wanted buildings to pierce the clouds, and I thought he would quote Webster's eloquent words when he referred to the monument that was to rise and pierce the skies. The Senator is always illuminating, and because of his erudition he is always instructive, but I could not help thinking, as he was dealing with me for the feeble words which I had uttered, of the title to the book which I have just referred to. The author said that it was "A book concerning all things and certain other things also." The speech of the Senator from Maryland concerns all things and certain other things also. But I am disarmed by his closing statement, and if permitted I would drink, of course, in water, to his health and would wish that he might live long and prosper.

My good friend was a little inconsistent, because being a Democrat, he does not believe in special privileges; and yet his chief reason for supporting the bill was that the Press Club deserves "special privileges" or special consideration. I paid my tribute to the press, but the members of the press are honorable men and they do not want special privileges. Any man who thinks—and, of course, the Senator had not that in mind at all, and I am speaking impersonally—that he makes friends of honorable journalists by any offer of sycophancy makes a mistake.

Mr. President, the speech of the Senator from New York [Mr. COPELAND] was a sensible one. He kept his feet upon the ground. He approved substantially all that I have said, that we should have a city here that is symmetrical and conformable to certain architectural types and lines. I hope my good friend from Maryland, whom I love, did not deduce from anything I said that I was opposed to business. Paris has today more than two and one-half millions of people. It has one hundred times, perhaps, as much business as the city of Washington. But its business houses, great as they are, conform to certain lines of architectural types which have been prescribed years ago. I presume the Senate and the House understood what they were doing when they laid down a rule of 110 feet and gave to the zoning commission authority to restrict it below that limit. Are we so much wiser? Perhaps some of us are, but not the Senator from Utah. I think they laid down that plan after full investigation. They were seeking to conform the development of the city to certain rules and regulations for which my good friend is contending.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. KING. I yield.

Mr. HARRISON. When was the law restricting the height to 110 feet enacted?

Mr. KING. In 1910.

Mr. HARRISON. There has been no change so far as the law is concerned?

Mr. KING. Not in the general law; but there was a deviation from it when a special act was passed permitting the erection of the Harrington Hotel, the limit being fixed at 130 feet. I have heretofore stated the reason given for this action.

Mr. HARRISON. What was the height limit before 1910?

Mr. KING. I am not sure what the regulation was.

Mr. HARRISON. It is quite true that through the years and during the growth of the city they have gradually increased the height of buildings in the business section of the city, is it not?

Mr. KING. I do not think that is quite accurate, and yet if the Senator knows, I would not dispute it.

Mr. HARRISON. I do not know; I am merely asking for information.

Mr. McKELLAR. What is the height requested here?

Mr. KING. It is 140 feet.

Mr. McKELLAR. What was the limitation on the height of the Munsey Building?

Mr. KING. The Munsey Building was built having in mind the great width of the street with a large area and two streets in front of it. As Major Wheeler, of the zoning commission, told me this morning, the present law enacted June 1, 1910, fixed the maximum height of buildings at 110 feet, the commission having discretion to limit the height below that figure.

Mr. McKELLAR. What is the height of the Willard Hotel right across the street?

Mr. KING. That is 138 feet.

Mr. BRUCE. The Munsey Building is 156 feet and 8 inches in height.

Mr. KING. But the Senator knows that the Munsey Building, as I have stated several times, faces upon a very wide area, which is perhaps 150 or 200 feet in width.

Mr. McKELLAR. It is down grade from F Street, too.

Mr. KING. Yes.

Mr. McKELLAR. What is the Senator's idea about it? What is the height to which he believes the building should be restricted?

Mr. KING. I would leave the matter entirely with the constituted authorities; that is to say, the Commissioners of the District, the zoning commission, and the Fine Arts Commission. When Congress sets up agencies to discharge certain duties and exercise their discretion, I would follow them, unless some special condition in some contingency arose which called for a modification of the law.

These officials are favorable to a limit of 130 feet. Accordingly, I would support that recommendation. We have invested them with authority and I would leave the matter in their hands. The District Commissioners and the Fine Arts Commission and the zoning commission have recommended against the bill; but, as stated, I am willing to recommend the maximum limit allowed by law, 130 feet.

Mr. McKELLAR. How was the vote of the committee?

Mr. KING. I would not present. I am told that all the members of the committee who were present favored the bill. Senator SACKETT and myself were not present.

Mr. COPELAND. May I answer the Senator from Tennessee?

Mr. KING. Certainly.

Mr. COPELAND. The vote in the committee was for a height of 150 feet, and every member of the committee except the junior Senator from Utah voted for that height. However, the House passed a bill providing for a height of 140 feet, and therefore it seemed wise for us to recede and accept the suggestion of the House.

Mr. KING. May I say to the Senator from New York and to the Senator from Maryland, if I understand the purpose or the plan of the building that it will bring the building, as one descends toward Pennsylvania Avenue, to a greater height above the curb than 140 feet, because the descent, as Senators will recall, is quite rapid; so I would imagine the extreme southern end of the building on Fourteenth Street would attain a height of approximately 148 or 150 feet.

Mr. BRUCE. I do not know. I am not certain about that fact.

Mr. HARRISON. But at that point the building would then be lower than the Willard Hotel. As one goes toward Pennsylvania Avenue on Fourteenth Street the lower end of the Press Club Building would be much lower than the height of the Willard Hotel.

Mr. KING. I think it would be from 4 to 6 feet, or approximately a little more, below the height of the Willard Hotel as it fronts on Pennsylvania Avenue.

Mr. HARRELD. Mr. President, as I understand it now, the Press Club Building, if 140 feet high, will still be below the sky line of the Munsey Building. Is that true?

Mr. CAPPER. That is true. If the Senator will yield to me for a moment, I will make a brief statement concerning that.

Mr. KING. Certainly.

Mr. CAPPER. Here is a statement filed with the committee by the Press Club committee having in charge the building, in which they said:

The only objection that the Press Club has heard of has come from the Munsey estate, which now controls the Munsey Building, and this objection the Press Club is now informed was made through error in that it was assumed that the Press Club Building would reach a much higher level than the Munsey Building, rather than the actual fact, which is that the Press Club Building erected to the full height requested in this bill would be lower than the Munsey Building.

The Willard Hotel will also be considerably higher than the press building when completed, and there can be no question at all but that



these three buildings, approximately the same height, will give a much better sky line and more greatly enhance the beauty of the city than if this colossal press building were forced to be erected to a lower level and less symmetrical mass.

Mr. HARRELD. Mr. President, that statement may be true in so far as these three buildings are concerned, but will not every business house on F Street be immediately asking for permission to erect another story or two stories on top of its building when this bill shall have been passed?

Mr. KING. An amendment has been offered, extending the provisions of the bill to the entire block.

Mr. HARRELD. How did we ever depart from 110 feet as the height under the zoning law to 140 feet? How did the Munsey Building ever come to be built? How did the Hotel Willard ever come to be built at that height?

Mr. CAPPER. Both those buildings were erected before the enactment of the zoning law.

Mr. COPELAND. Mr. President, if the Senator will permit there, there is a kind of elastic provision. Under certain circumstances the zoning commission may permit a height of 130 feet; but they never, by their own act, are permitted to go beyond 130 feet. When it is proposed that the height of a building shall go beyond that, the question must come to Congress. That is the reason why the Press Club have appealed to Congress. They found that in financing this project they must add another story to their building in order to carry them over.

Mr. HARRELD. I do not think that is a consideration. I have the highest regard in the world for the Press Club, but they ought not to want and they ought not to ask any special favors. I would deal with them just like I would with any individual in this matter.

Mr. COPELAND. When the matter was before the committee the very thought which the Senator from Oklahoma has in mind was raised. The question was, Why should an exception be made in favor of the Press Club?

Mr. HARRELD. I should like to know why.

Mr. COPELAND. At that time I think I myself offered the motion to make the height for the whole block 150 feet.

Mr. HARRELD. Then you would have to let owners of property on every other block in that vicinity erect buildings to the same height.

Mr. KING. And it would be insisted that Congress should allow buildings to be erected to the same height on the other side of the street.

Mr. COPELAND. The objection to that was that Major Bell, who was representing the commissioners and the zoning commission, said that they preferred that the committee would not take action about anything except this particular building, because they preferred to have each case considered on its merits. Furthermore, there was to be, as I understand, a restudy of the question of zoning.

The Senator from Oklahoma and, I am sure, the Senator from Utah appreciate this point: The question of overhead in a great building to-day is very different from what it was before the World War.

Mr. HARRELD. Granting that is true, are these people to have a special privilege over the other property owners in the vicinity? Is that what the Senator is arguing for?

Mr. COPELAND. I am arguing that the Press Club, having come to us to present their cause, and having granted such permission in other cases by action of Congress, we should grant permission in this instance. Not, however, because it is the Press Club, for if the Senator from Oklahoma will present a bill to have the height of a building raised on some particular lot, I know Congress will be very glad to consider it.

Mr. HARRELD. If I owned the building on the corner across the street from the proposed building, I will tell the Senator, I would next day ask for the same privilege. The question is, Are we going to accord the same privilege to everybody, or are we merely going to let one person or one individual or one club have this privilege? I have the highest regard in the world for the Press Club, but they ought not to ask for anything we are not willing to give other people. It is beyond and above them. I do not believe they should be charged with anything of that sort or even with requesting any special consideration in such a matter. I think too much of them to believe that they would do it.

Mr. CAPPER. Let me say to the Senator from Oklahoma that others have asked of Congress, and Congress has granted a similar privilege. The Harrington Hotel is an instance of that.

Mr. KING. That building was permitted to be erected to a height of 120 feet only for the reason that there was a building alongside of it of that height which had been erected the year before restrictions as to height had been adopted.

Mr. CAPPER. The height of that building exceeded the zoning restriction, and it required an act of Congress to enable the building to reach that height.

Mr. KING. Exactly; but that permission was granted only because there was a building there which had been erected before there were zoning restrictions or any law on the subject covered the situation. Of course, if an exception is made, it will be difficult to deny the benefits of the exception to all other persons.

Mr. HARRELD. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield the floor.

Mr. HARRELD. Mr. President, I myself am interested in an office building and I know that it is very desirable to build into the sky because the overhead expenses, elevator service, and things of that sort on a 5-story building are practically the same as those on a 15-story building. Every owner of property in the vicinity of this building, should we grant this permission, will want to increase the height of his building to the extent to which the foundations will stand. The next day after the rule shall be varied such applications will be made. I know what I am talking about, because if the owners can add two or three stories to the top of their buildings it is practically net rent to them. Their overhead is going on anyway, and it is very desirable from their standpoint that they should be allowed to build additional stories. So we shall have a dozen applications the next day after we grant this permission.

Mr. PITTMAN. Mr. President, I should judge from the remarks of the Senator from Oklahoma that the higher a building is the lower the overhead expense will be, and therefore that the rooms in a tall building could be rented cheaper than they could in a low building. Is that true?

Mr. HARRELD. That does not necessarily follow, because the rentals are usually fixed by all the buildings taken together, which include low buildings as well as high buildings.

Mr. PITTMAN. I have never had any interest in an office building, but I assume that when the overhead can be reduced the rentals also can be reduced.

Mr. HARRELD. It does not work that way, though, because the general average cost or rental of a room is made up of the demand for rooms in both low and high buildings, and it usually strikes an average; but it is a known fact among building owners that when 4 stories are exceeded elevator service must be installed, and when elevator service is put in the overhead becomes so great that the building will not pay unless it is run up to 10 stories. The higher the building goes above that the more money can be made out of it. That is a known fact.

Mr. PITTMAN. This also figures in it, that if an individual owns a lot that is worth a high price a square foot he can hardly afford to build a 3-story building on it.

Mr. HARRELD. That is true.

Mr. PITTMAN. And if the lot is as costly as the building, the whole cost of the operation is reduced by increasing the cubic renting space on that lot.

Mr. HARRELD. That is true.

Mr. PITTMAN. Of course, Washington has been considered a small city in the past, but we have watched the growth of large cities like New York and others where it became an absolute necessity to erect high buildings.

Mr. HARRELD. But, if the Senator will yield, if he will go to Paris or London, he will find that it has not become necessary there to go more than five stories high.

Mr. PITTMAN. But none of us want to go to Paris or London; none of us want to copy their business methods.

Mr. HARRELD. They are larger than Washington, although of course they are not larger than New York.

Mr. PITTMAN. I understand that; but of course they have imported a number of our architects in London, I am glad to say, and they are now planning skyscraper hotels in London.

Mr. HARRELD. I do not want the Senator to misunderstand me. I am not opposed to buildings going higher, but the same rule must apply to all. If we give the Press Club the right to go 140 feet, I am going to support every other request that comes here to make the same height apply to other buildings. That is all I have to say about it. It is not fair to give consideration to one and not to others. So, if we shall pass this bill, instead of having a 110-foot zoning law, we will have a 140-foot zoning law. That will be the effect of the passage of this bill.

Mr. CAPPER. Mr. President, every application that has come before Congress of this nature has been granted.

Mr. HARRELD. But there never was one before that requested a height of 140 feet.

Mr. CAPPER. There was one for 130 feet. That was all that was asked.



Mr. HARRELD. Exactly. So there has been established a zoning law allowing a height of 130 feet, and the pending bill proposes to raise that limit, and, immediately we allow that to be done, we have reestablished a new zoning law, which provides for a height of 140 feet for buildings, because, as I have said, I am going to support everybody who applies for permission to erect a building to that height hereafter, and I think every other Senator will, for we can not afford not to do it. So the question is whether we want to raise the height prescribed by the zoning law from 110 feet to 140 feet. That is the question involved here.

Mr. COPELAND. Mr. President, if the Senator will yield, I wish to say I will vote with the Senator from Oklahoma on that proposition. As buildings are being erected now with a different kind of top than the old blunt, square top, I think the skyscraper is a beautiful building. When the Senator from Oklahoma gets ready to make his motion, I will be very glad to support it.

Mr. HARRELD. Mr. President, I do not want to say that I would want to do that to the extent of destroying the beauty of the city. There must be a limit somewhere.

Mr. PITTMAN. Mr. President, I have never been the owner of an office building. I have always been a renter, having been a practicing attorney for a number of years, and I am more interested in reducing rentals than I am in increasing profits. I know as a matter of economic fact that where there are high-priced lots the owner is enabled to reduce the rent by securing a greater renting space on such lots.

So far as the 140-foot limit is concerned, we have the Willard Hotel, which is not a high building by comparison with the buildings of this day. I should like to see the streets near the business center of Washington have a limit of not less than 140 feet.

Mr. HARRISON. Mr. President, I shall not detain the Senate long. I was a little surprised to find my good friend from Oklahoma fighting the onward progress of the city of Washington and asserting that he was not in favor of this measure. I am surprised that the Senator, who comes from the great State of Oklahoma that boasts of at least two cities, Tulsa and Oklahoma City, in which in the past he has taken great pride, with their 50 and 75 story buildings—

Mr. HARRELD. The highest buildings there are 22 stories.

Mr. HARRISON. The Senator is too modest; more so than usual, when picturing the progress of the magic cities of Oklahoma. Of course I added a few dozen stories to the skyscrapers of Tulsa and Oklahoma City, but the Senator should take no offense at that, as it is but in keeping with the generous expressions of the Senator's constituents when thinking and talking of Oklahoma.

Mr. HARRELD. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. HARRELD. The cities to which the Senator has referred are commercial cities, while Washington is a beautiful city which we are building as the capital of this the greatest country in the world and which is supposed to be free from commercialism.

Mr. HARRISON. The Senator will find out after a while that the hands of progress move on and can not be stopped. Values have increased in Washington the same as they have in many of the other large cities. People can not buy property on F Street and other high-priced centers here at prevailing high prices and erect buildings thereon if they are going to be compelled to maintain them squatty, as they have in the past. They will not invest under such circumstances, the buildings will not be erected, and the progress and development of the city will be retarded.

Mr. President, I sympathize in practically all instances with the people of Washington. They have very broad aspirations, and they are not represented here, save as to such time as Senators and Representatives can give them from their other duties. While I sympathize with them in many of their aspirations, I can not but help sometimes to be aggrieved because of their silence and apparently lack of interest in so many matters which, it would seem to me, should appeal to them.

We talk about zoning commissions and the Fine Arts Commission and the Commissioners of the District of Columbia trying to beautify the city, trying to make it attractive to the people of the country, so that they will move here and live, and doing the best they can to maintain values. It is contended that in a particular block a building shall not be erected over 10 stories or beyond a certain height; it is contended that a business house shall not be located in certain blocks or along certain streets; and yet we have seen in this city, without any protest upon the part of the people or busi-

ness organizations, and with apparent approbation of the Commissioners of the District of Columbia and other leading men and women, values in certain sections forced down because they did not have the courage—I will not say the foresight, for everybody knows it would have been the wise thing to have done—to try to check the colored population of the city from moving surely and rapidly into white sections.

I say that with no desire to engage in any discussion over the race question; but there is not a Senator present, there is not a person in the city of Washington, there is not an employee of the Washington Post, the Star, the Times, the Herald, or the News, but knows that the usurpation of white sections by the colored people is destroying values and shifting residential sections. New Jersey Avenue was once a residential section for white people. Its values were high, its location attractive; but now look at it.

Colored people moved in and on it; the white people sacrificed and bought elsewhere. As the white people moved farther west and farther north the colored population one by one followed, and in proportion to the numbers that did follow values declined. This situation continued until the colored residents forced themselves as far as Fourteenth Street. Some thought that surely the movement would then stop. But no; ambitious ones of the lot dreamed of blocks beyond, and so the favored and prominent and socially inclined among them bought up to Sixteenth Street. At every step values went down. And so to-day it matters not where you may select to build your home or live, it will be but a short time when the stability of prices will be shattered and the property value declined on the invasion of the colored population. There must be some consideration given to this question. Poor people, aye, even widows, who possess perhaps nothing but a home have experienced their life savings sacrificed because some of the colored population bought and moved next door to them. Restricted areas for whites and colored make for the stability of values and the common contentment of both. Any other policy, such as we have experienced in Washington, breeds differences between the races and makes not only for the insecurity and instability of property values but estrangements and bad feeling. Why the business people and the residents of the District remain silent I can not understand. On the other hand, they indorse for high office men of the colored race who are the prime movers in that invasion, men who appear as lawyers in cases in the Supreme Court of the United States to test the validity of restrictive ordinances. So I say that sometimes I can not but feel aggrieved at the lack of interest upon the part of the District population in rendering some assistance to cure the evil.

I have said all I desire, perhaps more than I should have said. But it is out of my system, and I shall at least feel better from it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. EDWARDS].

Mr. KING. Mr. President, I hope the amendment of the Senator from New Jersey will not prevail. Recently we passed a bill creating a new commission for the purpose of preparing a plan for the city of Washington. I sympathize with what the Senator from Maryland [Mr. BRUCE] said about the necessity of providing a comprehensive plan to meet the needs of the District. About a year ago I introduced a bill authorizing the President to appoint a commission of three persons selected from among the most eminent architects, city planners, and builders in the United States for the purpose of preparing a plan for the future development of Washington, taking into account the streets, sanitation, public buildings, parks, highways, and every matter and thing relating to municipal government and to the welfare and development of the city. That bill in part has found a place in the measure which recently passed the Senate. I hope within a short time the organization created by this act will enter actively upon its duties. The organization as authorized to employ, as I recall, leading architects, builders, and city planners to aid in preparing a suitable plan to meet the necessities of the Nation's Capital. This amendment will, in my opinion, defeat the pending bill. So the friends of the measure before us should vote against it. There is no necessity of passing it now. Let us wait until the report of this new commission is presented.

When we meet in December we will perhaps have a report from them, or certainly within a few months thereafter, and the views of Senators may undergo a change with respect to building restrictions and cognate matters.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. EDWARDS].

Mr. BLEASE. Mr. President, the Senator from New Jersey is not present.



The PRESIDING OFFICER: The amendment was presented by the Senator from New York for the Senator from New Jersey.

Mr. COPELAND. I offered the amendment at the request of the Senator from New Jersey, who could not be here to-day.

The PRESIDING OFFICER. The amendment has been regularly submitted.

Mr. BLEASE. Was not the amendment of the Senator from New Jersey offered by him some days ago?

The PRESIDING OFFICER. Yes; the amendment was pending when the bill came up this morning.

Mr. BLEASE. I suggest the absence of a quorum. A large number of Senators are absent from the Chamber.

Mr. COPELAND. Mr. President, does the Senator feel that he desires to make that suggestion in view of the absence of the Senator from New Jersey?

Mr. BLEASE. Yes; I do not think we ought to vote on a Senator's amendment without giving him a chance to get to the Chamber. That is why I suggest the absence of a quorum.

Mr. COPELAND. The Senator from New Jersey is out of the city. He is not here. That was the reason why I presented the amendment in his absence; so I hope the Senator from South Carolina will not feel it necessary to call for a quorum.

Mr. BLEASE. Mr. President, my recollection is that the amendment was offered the other day by the Senator from New Jersey himself.

Mr. COPELAND. It was.

Mr. BLEASE. I was in the chair at the time, and the Senator from New Jersey sent it up.

The PRESIDING OFFICER. It is true that the amendment was offered by the Senator from New Jersey and it was pending this morning when the bill came up.

Mr. BLEASE. That is what I say. Then I think the Senator from New Jersey should have an opportunity to be in the Chamber when it is acted upon.

Mr. COPELAND. Mr. President, the Senator from New Jersey has authorized me to represent him to-day.

Mr. BLEASE. That is all right, then. If the Senator from New York had a talk with him, it is all right.

Mr. COPELAND. Yes; I have had.

Mr. BLEASE. Very well. I withdraw the suggestion of the absence of a quorum.

Mr. BRUCE. Mr. President, may I ask the Senator from New York whether the amendment offered on behalf of the Senator from New Jersey includes the squares in which I am interested? I do not suppose it does.

Mr. COPELAND. No, sir; it includes only the square in which the Press Club Building and the Munsey Building are situated. It does not include any others.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey [Mr. EDWARDS].

The amendment was rejected.

Mr. HARRELD. Mr. President, I desire to offer an amendment.

Mr. BRUCE. I believe my amendment comes next.

Mr. McKELLAR. May the amendment of the Senator from Maryland be stated?

The PRESIDING OFFICER. The amendment of the Senator from Maryland will be stated.

The CHIEF CLERK. The Senator from Maryland offers the following amendment:

On page 1, line 11, after the words "F Street curb," insert the following:

"And provided further, That building to be erected on land in square 223, lots 8, 11, 19, 10, B, A, 802, 11, G, F, E, and 9 be permitted to be erected to a height not to exceed 140 feet above the G Street curb."

Mr. BRUCE. Mr. President, I note the absence of a quorum.

Mr. COPELAND. I hope the Senator will not do that.

Mr. BRUCE. The first amendment that was offered, which asked for the same relief that my amendment asks for, was defeated, and I imagine that the same fate will overtake my amendment if it is left to this body without any real consideration. A great many Members of the Senate who were present when I made my observations on the pending bill are no longer present in the Senate Chamber.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BRUCE. Yes.

Mr. COPELAND. Personally, I am in favor of the Senator's amendment. It differs, however, from the amendment offered by the Senator from New Jersey in that it has not been considered by the District Committee. The amendment offered by the Senator from New Jersey had been considered there. It

had received the approval of the committee. Here we have a committee whose business it is to deal with these matters; and my judgment is, if I may say so to the Senator from Maryland, that this is a matter which should be considered by the committee before it is presented to the Senate.

Mr. BRUCE. Mr. President, I do not see that what the Senator from New York has said has any real pertinency to this amendment, because, of course, my argument was an entirely ineffectual one if I did not succeed in establishing certain general principles on which each and every one of these cases should turn. It does seem to me that the Senator is being influenced to some little extent by motives of selfish exclusion when he makes the point that he now makes with regard to the amendment offered by me. That is to say, having offered his own bill, and having quite ineffectively represented the Senator from New Jersey in relation to his amendment—quite languidly, I should say—he now announces, thinking that he is safely past the fiery ordeal himself, that he is opposed to the amendment offered by me.

Mr. COPELAND. Mr. President, if the Senator will yield—

Mr. BRUCE. Yes.

Mr. COPELAND. I did not say that I was opposed to the Senator's amendment. I think I said that I shall vote for his amendment, because I am in favor of increasing the height of all these buildings. What I did say related to the fact that this bill has not been considered by the District Committee.

Mr. BRUCE. To use the image of Alexander Pope, that is but another way of hinting dislike—not a body blow, of course, but a lateral stroke, like that of the man in the Bible who said:

Is it well with thee, my brother?

And then smote him under the fifth rib. I say that if this bill goes through the amendment should be adopted. There is no possible reason why any line of invidious discrimination should be drawn between this bill and this amendment—none whatever. There is no reason why the height of business structures should be limited where the Press Club building stands. There is no reason why it should be limited at this point between New York Avenue and G Street on Fifteenth Street.

I do not want to weary the Senate by chewing over the cud of a past discussion; that is certain; but many of the Senators who were present when I was making my address are no longer in the Senate Chamber, and I flatter myself that what I said must have had some little effect on the minds of some of the Members of the Senate; so I note the absence of a quorum.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	Lenroot	Sheppard
Bayard	Fletcher	McKellar	Shipstead
Bingham	Frazier	McKinley	Shortridge
Bleas	George	McMaster	Simmons
Borah	Gerry	McNary	Smith
Broussard	Gillett	Mayfield	Smoot
Bruce	Glass	Metcalf	Stanfield
Cameron	Goff	Moses	Stephens
Capper	Gooding	Neely	Swanson
Caraway	Harrell	Norbeck	Trammell
Copeland	Harris	Nye	Tyson
Couzens	Harrison	Oddie	Walsh
Curtis	Heflin	Overman	Warren
Dale	Howell	Philips	Watson
Deneen	Johnson	Pine	Weller
Edge	Jones, N. Mex.	Pittman	Wheeler
Ernst	Jones, Wash.	Ransdell	Willis
Fernald	Kendrick	Reed, Pa.	
Ferris	King	Sackett	

Mr. PHIPPS. My colleague [Mr. MEANS] is absent on account of illness. I ask that this notice stand for the day.

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present. The question is upon agreeing to the amendment offered by the Senator from Maryland [Mr. BRUCE].

Mr. BRUCE. Mr. President, when I addressed myself to my amendment to this bill a short time ago there was quite a full attendance of the Senate and, of course, it is sickening to me to think that I will have to cover the same ground in a second series of observations in the amendment.

Briefly, the situation is this: The pending bill provides that "the building to be erected on lots 813, 814, and 820 in square 254, located on the southeast corner of Fourteenth and F Streets NW., be permitted to be erected to a height not to exceed 140 feet above the F Street curb." That is the bill. My amendment asks that exactly the same privilege be allowed the corporation which proposes to erect the building on Fif-



teenth Street between New York Avenue and G Street. Just how any line of unjust discrimination can be properly drawn between the license requested by the bill and the license requested by the amendment, I for one can not see.

Mr. HARRISON. Mr. President, will the Senator permit a question?

Mr. BRUCE. Certainly.

Mr. HARRISON. I may be mistaken about it, but has not New York Avenue been widened lately?

Mr. BRUCE. Perhaps it has.

Mr. HARRISON. What is the width of New York Avenue?

Mr. BRUCE. I could not tell; but, of course, that corner is one that is very well known.

Mr. HARRISON. I understand that one of the arguments made a while ago in connection with fixing the height of buildings was that they should be equal to the width of the street plus 20 feet. New York Avenue, on which this building is to be located, is a very wide street. It may be 150 feet wide.

Mr. BRUCE. I thank the Senator for that point. The width of the street would justify a height of considerably more than 140 feet. That is the standard prescribed by the District Commissioners, and I can not for the life of me see why fish should be made of this bill and fowl of my amendment.

Mr. CAPPER. Does not the Senator think the better way to handle this building would be by way of a separate bill, as others have been handled?

Mr. BRUCE. No.

Mr. CAPPER. This Press Club bill is not the first bill that has come before the Senate when this privilege was sought.

Mr. BRUCE. That may be, but it is the first one brought to my attention after I was requested to offer this amendment. Of course, I know there are all sorts of influences at work here to prevent the adoption of this amendment, all kinds of influences elicited on account of the fact that certain individuals who are interested in that Press Club Building do not want their bill to go back to the House with any amendment on it. Here the bill is, and I have just the same right that any Senator has under similar circumstances to make this bill a host for my amendment. I want to know whether it is going out to the country that the Press Club, composed of representatives of the press, can come to Congress and get a privilege, and another body of citizens, who do not happen to be invested with exactly the same measure of influence and power, are unable to obtain precisely the same privilege.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from New York?

Mr. BRUCE. I do not know whether I will yield or not.

Mr. PHIPPS. Mr. President, can the Senator inform the Senate of the width of the streets covered by his proposed amendment? With that information we would know the limit of height of the buildings to be erected on those frontages.

Mr. BRUCE. I do not believe it would alter the Senator's views about it in the least degree, after the interview I have just had with him. I am speaking with the greatest respect. The Senator has just said that he is opposed to the amendment, and what is the use of my furnishing him information that would have no influence on him?

Mr. PHIPPS. The question addressed to me was, Can not this amendment be accepted? I said:

There are those who oppose it because they believe it would interfere with the city building program, and I for that reason am opposed to it.

I said I was opposed to it, and gave my reason why it should not be adopted.

Mr. BRUCE. The Senator had a perfect right to say that to me, and I had nothing more to say on the subject.

Mr. PHIPPS. My inquiry was most courteous when I asked the Senator if he could give us the width of the streets involved in this property.

Mr. BRUCE. And I propose to give the Senator a courteous reply. The Senator from Mississippi has just brought to the attention of the Senate the fact that New York Avenue has been widened, that it is a very wide street at that point, and that, therefore, instead of being entitled to a height of 140 feet, this company would really be entitled, in all probability, to erect a building with an elevation of 150 feet, according to the standard adopted.

Mr. PHIPPS. If the Senator will permit me, he has brought out the very point I was endeavoring to get. If he had given us the width of the street, we could have added 20 feet to it and would have known whether or not the amendment was necessary.

Mr. BRUCE. I can not give the width of the street to the Senator. I can obtain it, if it is a matter of any consequence.

If it would really influence the mind of the Senator from Colorado, I would be very glad to get it.

Mr. PHIPPS. It would decidedly influence me.

Mr. BRUCE. I wish the Senator had said that to me before, when I approached him. Nothing could have been more positive than his manner. Of course, he had a perfect right to say what he did say to me. He said no, that he was opposed to it. There was nothing more for me to do.

Mr. HARRISON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Mississippi?

Mr. BRUCE. I yield.

Mr. HARRISON. With reference to what the Senator said about the Press Club, of course, I know that the Senator does not want to state what may be erroneous. I happen to be a member of the Press Club, and I have not been approached on this question by anybody from the Press Club. I think the Press Club would like to see this legislation enacted. I do not think they would have any objection at all to an amendment which was justified by the facts, as I believe the Senator's amendment is justified by the facts.

Mr. BRUCE. All the same, I was approached by a member of the press and asked to withdraw my amendment. Of course, that is a fact of some little significance.

Mr. HARRISON. Every one knows that New York Avenue is a very wide street; and if the height of buildings is based on the width of the adjacent streets, it would seem to me that there should be more justification to this than to the other proposition. I had hoped the Senator from Kansas in charge of the bill would accept the amendment; and if it were found that the facts did not warrant it, then it could go out. I do not want to see this other legislation defeated, and I know the Senator from Maryland does not want to see it defeated.

Mr. BRUCE. Not in the least. I am not casting any reflection on the press. They have a right to submit an idea as to what is expedient for their building and what is not expedient, but I would find fault with Members of this body should they grant a special privilege to the Press Club, or to any other club, and then withhold that privilege from some citizen equally entitled to it.

Mr. CAPPER. Mr. President, I am sure there is no desire here to grant a special privilege to the Press Club, or to any other organization. The application of the Press Club has had very serious consideration before the zoning commission, before the District Commissioners, and before the Senate Committee on the District of Columbia; but the amendment which the Senator from Maryland proposes has had no consideration by anybody.

Mr. BRUCE. All those considerations by which the committee was influenced in reaching a favorable conclusion as respects this bill are necessarily involved in the consideration of the amendment I propose. It is in practically the same locality. It is subject to the same general principles of expediency and policy as the building contemplated by the bill itself. The members of the District Committee were just as well prepared, after a statement of the purposes of the amendment, to pass on the propriety of that amendment as they would have been if they had given two days' consideration in the committee room to the amendment.

Mr. CAPPER. I have no objection to granting this privilege to the property which the Senator from Maryland has in mind, but I doubt the wisdom of including it as a part of this bill.

Mr. BRUCE. I do not see that the question of wisdom arises. It is natural enough, perhaps, though I think their fears are entirely groundless, that the Press Club should desire that no amendment should be attached to their bill. As I said, I have no quarrel with them. They have a right to form their conception of what is expedient with reference to their own bill and what is not expedient; but it seems to me that the supporters of the bill here are disposed to take a perfectly selfish position, a position of selfish exclusion, and shut out everybody except just one single legislative favorite, so to speak, from the benefits of this indulgence. I say there is no justice in that and no propriety in it.

I proposed an amendment. Not one word of opposition was ever uttered by the Senator from New York [Mr. COPELAND], not one. The Senator from New Jersey [Mr. EDWARDS] had previously brought in an amendment asking for the same privilege with reference to a whole block in this immediate neighborhood, and the Senator from South Carolina [Mr. BLEAKE] objected to the consideration of that amendment on the ground that the Senator from New Jersey, by whom it was offered, was not present in the Chamber. How was that objection met?



By a statement, forsooth, from the Senator from New York that he represented the Senator from New Jersey; in other words, would take care of the inclinations and interests of the Senator from New Jersey; and, pray, how did he take care of them?

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BRUCE. No; I do not yield yet. I will yield afterwards to the Senator.

Mr. PHIPPS. Mr. President—

Mr. BRUCE. I will not yield until I have made my statement with regard to these facts.

Mr. PHIPPS. I merely wanted to give the Senator information that might be of assistance to him.

Mr. BRUCE. I shall be very glad to receive it in a moment, but I want to finish my narrative, which is a very interesting one.

Yes; the Senator from New York would take care of the Senator from New Jersey; there was no occasion at all for the conscientious or friendly sympathies of the Senator from South Carolina. Then when the amendment came up for adoption and there was a mere handful of Senators here the Senator from New York sat mute in his seat and never lifted his voice in behalf of the amendment, and no sooner was the amendment defeated than he immediately disclosed his hostile attitude also toward my amendment. I do not want to say anything that is not fully justified by the occasion, but I say that that conduct is unworthy of a Senator.

Mr. COPELAND and Mr. PHIPPS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield; and if so, to whom?

Mr. BRUCE. I yield first to the Senator from New York.

Mr. COPELAND. I hardly think I am called upon to justify my act to the Senator from Maryland. His amendment is not on all fours with the amendment offered by the Senator from New Jersey. I told the Senate what is the fact; that in the Committee of the District of Columbia, where we had present the commissioners, the zoning commission, and the Fine Arts Commission, we gave consideration to the question whether or not we would act alone upon the application of the Press Club for this one site or whether we would act upon the whole block. It was decided by the District Committee that each case should be determined upon its merits. The Senator from New Jersey, as the Senator from Maryland will learn at a later time, is fully advised of all the circumstances and conditions under which I would present the matter to-day and which I did with his full knowledge and approval.

Mr. BRUCE. And stated that you represented him?

Mr. COPELAND. Yes; and stated that I represented him, which I did.

Mr. BRUCE. Represented all his interests in connection with that matter?

Mr. COPELAND. I think I did represent all his interests as they were conveyed to me in that matter. I think I am fully as much qualified to pass upon it as is the Senator from Maryland.

Mr. BRUCE. All I have to say is that I am filled with a sense of delight that the Senator from New York did not represent me.

Mr. COPELAND. In that particular connection I may say that I think the Senator from Maryland is overriding the practice of the Senate in a matter which has to do now, for instance, with the height of this building about which he knows and about which the rest of us do not know. I do not know what the building is. I have not had it brought to my attention. I am a member of the Senate Committee on the District of Columbia. If the Senator from Maryland would take the same interest in presenting a bill raising the height of this particular building, and presenting it with the same enthusiasm to the District Committee that he has presented it here this morning to the Senate, I have no doubt that the District Committee would gladly make a favorable report upon his bill. So far as I am concerned, as I have said to the Senator from Maryland and the Senator from Oklahoma, I shall vote for the matter, because I would be glad to see the height of all the buildings in the business section raised far above those now fixed at a lower point by the law of the District.

Mr. PHIPPS. Mr. President, will the Senator from Maryland yield to me for a moment?

Mr. BRUCE. I yield to the Senator from Colorado.

Mr. PHIPPS. I desire to furnish the Senator with information that may or may not be helpful to him. I am reliably informed that the width of New York Avenue along the line which the Senator's amendment covers is 130 feet. Therefore, with the permissible addition of 20 feet, a building to the height of 150 feet may be erected on New York Avenue. There-

fore it would appear that the amendment proposed by the Senator from Maryland is unnecessary to accomplish the purpose he has in mind.

The Senator addressed a question to me just as the motion was being put upon an amendment and asked me whether or not I was in favor of the bill. I would have told him, if I had had the opportunity, that I am not in favor of the bill, because I think it is departing from the established rule that has been laid down in the District for a permissible addition of 20 feet to the width of any street to determine the height of a building that may be erected. If that is a good thing for a particular location, then let us make it general for the entire business district. Do not limit it to one building, or one block or three or four blocks, or to one building at a time. Let us change the basic rule and not play favorites.

Mr. BRUCE. Then, as I understand the Senator from Colorado, the persons who propose to construct the building to which I have referred are entitled to elevate it to that height?

Mr. PHIPPS. I think so, and I will say to the Senator if the bill now before the Senate passes and becomes a law and the information I have furnished him is wrong or incorrect, I shall be glad to assist him to see that the project which he has in mind is given fair consideration.

Mr. BRUCE. Then I will say to the Senator, as we are asking not for 150 feet elevation, but only 140 feet, that it seems to me there ought not to be any objection at all to my amendment. There could not possibly be any reasonable objection made to it by anybody.

Mr. PHIPPS. Does the Senator see the necessity for it now?

Mr. BRUCE. I do, because I take for granted that the owners of this site have taken proper legal advice. They would not be here asking for the adoption of the amendment unless they had reason to believe that special action by Congress was necessary. I think that their sense of their own legal needs ought to be a more trustworthy guide than any information that the Senator from Colorado has been able hastily to collect.

Mr. SIMMONS. Mr. President, I want to suggest to the Senator that if the statement of the Senator from Colorado is correct, his amendment might and would, I think, prohibit the erection of the building at the point which he has in mind in excess of 140 feet, whereas under the present law it might be erected to a height of 150 feet.

Mr. BRUCE. That is true.

Mr. SIMMONS. If the Senator's amendment were adopted, it would become the law on the street in question with reference to the three lots.

Mr. BRUCE. I am willing that that should be so.

Mr. SIMMONS. He would restrict the height there to 140 feet, whereas under the present law the building could be erected to a height of 150 feet.

Mr. BRUCE. But I take it for granted, as I said before, that the sponsors of the amendment know what they are doing. The amendment was drafted at their instance and was handed to me to be offered, and I take for granted they have intelligent conception of what their rights are. I prefer a man's selfish comprehension of his own interests to any other idea of those interests.

Mr. SIMMONS. I appreciate the situation of the Senator who has been asked to introduce the amendment, but it occurred to me that possibly those gentlemen, in asking him to do this, did not know that they could erect a building there to a height of 150 feet. I think if they had known that fact they certainly would not have asked the Senator to introduce an amendment which would reduce the height from 150 feet to 140 feet.

Mr. BRUCE. That is their responsibility and not mine. They say 140 feet will suffice for their purposes, and if it will suffice for their purposes it will suffice for mine.

Mr. SIMMONS. I was simply making the suggestion to the Senator.

Mr. BRUCE. I appreciate most highly the friendly suggestion of the Senator, but if the Senate will adopt the amendment, I hope they will adopt it just as it is.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the Senator from Maryland.

Mr. BRUCE. Mr. President, I move a reconsideration of the vote by which the amendment of the Senator from New Jersey was rejected.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from Maryland, and until that is disposed of the motion is out of order.

Mr. KING. Mr. President, I heard the Senator from Colorado [Mr. PHIPPS] make a statement to the Senator from Maryland which I am sure the Senator from Colorado in good faith understood to be the law. The Senator from Maryland doubt-



less relied upon it. I do not know the status of the motion now before the Senate, but the fact is that on New York Avenue, I wish to say to the Senator from Maryland, though I am opposed to his amendment, no one may erect a building in excess of a height of 120 feet. That is the extreme limit.

Mr. BRUCE. Then the width of the street has nothing to do with it?

Mr. KING. Nothing at all. The zoning commission may restrict it to 110 feet, and, of course, opposite a public building they may not build in excess of 80 feet. The Senator will recall that the Keith Building and those buildings opposite the Treasury Building may not go in excess of 80 feet.

Mr. BRUCE. It comes to this, that the Senator from Colorado innocently has misled some Senators on this matter.

Mr. PHIPPS. I am very sorry I was not familiar with the law. I was evidently misinformed.

Mr. BRUCE. I think under the circumstances the Senator should move a reconsideration of the action of the Senate on that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maryland.

On a division, the amendment was rejected.

Mr. BRUCE. I now move a reconsideration of the vote by which the amendment of the Senator from New Jersey [Mr. EDWARDS] was rejected, and I ask that the motion lie on the table until the return of the Senator from New Jersey.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland?

Mr. FESS. I object. Let us have a vote on the motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maryland to reconsider the vote by which the amendment of the Senator from New Jersey was rejected.

The motion was not agreed to.

The PRESIDING OFFICER. If there are no further amendments to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CAPPER. Mr. President, there is on the calendar a similar Senate bill with the same title, being the bill (S. 3495) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910. I therefore move that the Senate bill be indefinitely postponed.

The motion was agreed to.

#### DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. PHIPPS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of House bill 10198, making appropriations for the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PHIPPS. I ask that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPROPRIATIONS FOR THE STATE AND OTHER DEPARTMENTS

Mr. JONES of Washington. I submit a conference report and I ask unanimous consent for its immediate consideration. I do not think there will be any discussion or debate upon it.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9795) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1927, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 5, 6, 11, 13, 14, 15, 18, 19, and 47.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 8, 9, 10, 16, 17, 20, 21, 24, 25, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 39, 40, 41, 42, 43, 45, 46, and 49, and agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and

agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$583,529"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$620,440"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "(including expenses of attendance upon meetings of technical and professional societies when required in connection with standardization, testing, or other official work of the bureau when incurred on the written authority of the Secretary)"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: " : *Provided*, That not exceeding \$5,000 shall be expended for the acquisition of land"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum named insert "\$2,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "In such amounts as may be determined by the President"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "Appropriations herein made for the Children's Bureau shall be available for expenses of attendance at meetings for the promotion of child welfare and/or the welfare and hygiene of maternity and infancy when incurred on the written authority of the secretary."; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 7 and 12.

W. L. JONES,  
REED SMOOT,  
LEE S. OVERMAN,  
WILLIAM J. HARRIS,  
*Managers on the part of the Senate.*  
MILTON W. SHREVE,  
GEORGE HOLDEN TINKHAM,  
W. B. OLIVER,  
*Managers on the part of the House.*

The PRESIDING OFFICER. Is there objection to proceeding with the consideration of the conference report?

Mr. KING. Mr. President, the consideration of the conference report will consume some time in discussion. I am very anxious to facilitate the passage of the District of Columbia appropriation bill, and I appeal to my friend, the Senator from Washington, who is also a member of the District Committee, to let the conference report lie over until we can get the District of Columbia appropriation bill out of the way.

Mr. JONES of Washington. I will not say that I will let the report lie over until we shall get the District of Columbia appropriation bill out of the way, but I will let it lie on the table for a while.

Mr. McKELLAR. Mr. President, I desire to ask the Senator from Washington a question in reference to the appropriation for the war-frauds section. Was that item agreed to or disagreed to?

Mr. JONES of Washington. We had to recede from the Senate amendment.

Mr. McKELLAR. So that amount was left in?

Mr. JONES of Washington. The provision is left as contained in the bill as it passed the House of Representatives.

Mr. McKELLAR. I hope the Senator from Washington will let the conference report go over, because I want to debate that feature of the report.

The PRESIDING OFFICER. The conference report will lie on the table and be printed.



## AMENDMENT TO TRADING WITH THE ENEMY ACT

Mr. BINGHAM. Mr. President, I ask unanimous consent that the House of Representatives be requested to return to the Senate its message announcing its agreement to the conference report on bill (S. 1226) to amend the trading with the enemy act, together with the accompanying papers.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RELIEF OF FARMERS IN DROUGHT-STRICKEN AREAS

Mr. SMITH. Mr. President, on yesterday the Committee on Interstate Commerce ordered reported favorably a bill for the reduction of the rate of interest on the amount owed the Government by the railroads from 6 per cent to 4½ per cent. The Washington Post of this morning in its editorial column contains an article in which it is stated:

The Treasury holds railroad securities valued at more than \$300,000,000. It is proposed to extend or refund about \$304,000,000 of these obligations owing by 53 roads, fixing the time of payment at 33 years and the rate of interest at 4½ per cent.

This extension of the debt is to be granted only to those railroads unable to obtain credit and unable to pay what they owe the Treasury. Secretary Mellon says:

The article continues:

"I consider it sound public policy not to extend these Government loans beyond their terms except in cases where the carrier has no prospect of obtaining private credit."

The Treasury also has on hand agricultural securities valued at about \$113,000,000 in the shape of stock of the Federal land banks and intermediate banks and Federal farm-loan bonds.

Mr. President, I have not taken the floor this afternoon to object to the proposed legislation for the relief of the railroads. The argument was made in committee, and it will be made here on the floor, that the railroads were in the hands of the Government and under Government control during the time of the World War, that during that period and subsequent thereto they were in such a position that they had to have Government aid, and that the Government had preempted the bond market for its war activities, and therefore the railroads were in a measure forced to go to the Government and assume these obligations.

Whatever may have been the reason for the railroads owing the Government this amount of money, the argument is being made that as the Government can borrow its money now at 4 per cent, as the railroad is a public necessity and convenience, and as the Government should not or does not intend to make profit out of the accommodation rendered its citizens or their organized facilities, therefore we should reduce the rate of interest charged the railroads to the rate which the Government itself has to pay; that the Government should not rigidly enforce the obligations entered into at the rate of 6 per cent per annum.

Mr. President, as I said in the beginning, I am not here for the purpose of saying that this is not proper legislation; but I desire to call the attention of the Senate to the fact that if this \$304,000,000 owing the Government by the railroads shall be refunded at a rate of 4½ per cent, there will be a loss to the Government annually of \$6,000,000, the difference between what was obligated to be paid and what will be paid under the provisions of the bill.

Again, the time is extended from the period of about five years yet remaining before maturity to 33 years. That length of time is given over which this lower rate of interest will be charged, and the railroads are also given that length of time within which to recoup themselves if conditions shall permit them to do so. You will mark, Mr. President, that that means an actual gift on the part of the Government of \$6,000,000 annually. It is taking out of the bonds a rate of interest of 6 per cent and substituting therefor 4½ per cent; and even though the Government were unwilling to extend the time beyond the six years to 33 years, it would amount, if we should reduce the interest rate, to \$6,000,000 annually.

Mr. President, I want to call the attention of the Senate to the attitude of our financiers and the Government toward the railroads, which we all admit are an absolute necessity under the present forms of our organized society—commercial, social, and in every other respect. The committee reported that bill favorably, and reported it on the ground of the necessity of the railroads and the fact that they were owing the Government. On the other hand, I introduced at the beginning of this session a bill appropriating \$5,000,000, to be placed by the Government in the hands of the land banks, in order that the Government might relieve the drought-stricken farmers of certain districts from the necessity of either losing their property or being forced to borrow from local banks the amount

of money necessary to enable them to meet their interest charges.

Now, what occurred? The railroads obtained their loans from the Treasury at first at a rate of 6 per cent. The farmers, through the land banks and intermediate banks, pay a rate of 6¼ to 7 per cent. The seasons were so unfavorable in the Piedmont region of the Carolinas and Georgia that there was absolutely nothing made. Antecedent to that condition was the terrible deflation of 1921. Then followed for the first time in that section the advent of the boll weevil, which in the first three years practically destroyed the great cash crop of that section of the country. Then, for the first time in the history of the South so far as meteorological records go, there occurred the worst drought in the history of that section—in fact, the first drought—which absolutely destroyed the crop in a large part of these States. The greater part of the State of Georgia, throughout the Piedmont section and perhaps one-half of my State—I believe I am safe in saying that one-half of the counties of my State—absolutely failed in making a crop. The individual farmers in that section were obligated to the Federal land banks. The Government holds \$113,000,000 of the securities that gave them this facility for meeting their obligations. Now that they are absolutely unable to pay they are forced to give a second mortgage or mortgage other property at the local banks, which bank charges them 8 per cent discount, which means practically 9 per cent, in order to get the money with which to meet the interest maturing on the mortgage to the land banks.

I introduced the bill to which I have referred, believing that the Government was as anxious to save the farmers of this country, who are producing that which is essential to the country's life, and just as anxious to protect and foster the agricultural industry as the railroad industry.

The reply from the president of the land bank to an inquiry addressed to him was to the effect that perhaps 90 per cent of the interest that had fallen due up to the time when I introduced the bill and made the inquiry of him had been paid; but the question was, How had they been met and paid? Just as these struggling railroads had met their obligations—by going into the market and giving extra security and getting their money at a rate of interest that they said before our committee they could not pay and live.

For the same reason and by the same token I introduced this bill, providing that the Government should turn over to the land bank \$5,000,000 for the purpose of keeping at par the bonds issued to private individuals by the land bank, and simply holding the security that it already has, just as ample as the security the Government held on the railroads; for the property mortgaged to the land bank was sufficient to indemnify the Government against any loss if no interest was paid at all for two years. Therefore my proposition was that the Government should extend the payment of this interest for two years without requiring the payment of interest on the interest, without compounding the interest.

To illustrate, suppose some land owner had mortgaged his land for \$10,000. His payment per year, if he amortizes it—and that is the condition on which these mortgages are granted; he amortizes the loan as well as pays his interest—is \$700. He is unable to meet this payment. He goes to a bank and borrows the money to enable him to meet it. He discounts it at 8 per cent. Having his extra collateral discounted at 8 per cent, he is paying 9 per cent. He can not possibly live at that rate of interest; and in order that the bonds issued by the land bank may not be affected by the land bank itself carrying the interest for two years I have asked that the land bank shall receive this money from the Treasury, amply secured by the mortgages, and that the bank meet out of this \$5,000,000 the interest due, and allow an extension for two years of the time in which the landowner, the mortgagee may be able, if the seasons are favorable, to meet his obligation to the land bank, and not be mulcted in the sum of 8 or 9 per cent interest.

As I said, the president of the land bank says that 90 per cent of those within the drought-stricken region have been paying. These notes for interest are due semiannually, and therefore during 1926 it will be practically impossible for the landowners, those who have mortgaged their land, to meet these obligations without practically destroying their hope for the future. If the Committee on Interstate Commerce, taking into consideration the distressed condition of the railroads, can offer to remit to the railroads \$6,000,000 annually, is it not reasonable to ask that the farmers be granted merely an extension of time in which to meet their obligation at the same rate of interest that they are obligated to pay? The only thing lost by the Government would be the difference between the interest compounded and the straight interest. Consequently I went before the committee in regard to the matter. We have heard



nothing from it. It is intimated that it may be unfavorably reported.

Mr. President, I do not know that it is necessary for me to go further. As this article says, \$113,000,000 has been loaned directly by the Government to these institutions to aid the farmer, at practically an average rate of interest of 7 per cent. Bearing in mind that 7 per cent rate, let me read to you a letter from an officer of the Federal land bank to one of these unfortunate creatures in a section of country that comprises more territory than a whole State of this Union. Taking the drought-stricken region of Georgia and South Carolina, where the farmers practically made nothing at all, the area thus stricken is greater than the whole of an average State of this Union.

I want to read this letter from this land-bank official. I will not read the name of the person to whom it is addressed nor the name of the official, but it is an official letter:

DEAR SIR: When you accepted this loan you agreed to pay, on stipulated dates, the amortization installments for the above amount. Your failure to pay the above installment on date due is a violation of the contract under which this loan was granted. This violation gives the bank an absolute right to declare your entire loan due and payable forthwith and without notice to you. This default is a failure on your part to cooperate with your neighbors who form your association and who have indorsed your note to secure the loan, thereby becoming to a great extent responsible for its existence. Your neighbors, your indorsers, have met their obligations to the bank; and it is therefore this bank's duty to them as well as to itself to see that you now come on in performance of your duty to them as well as to the bank.

In view of these facts, you can see that it is decidedly to your advantage to at once pay the above installment, with interest thereon for default at 8 per cent from date due up to and including date on which remittance is received at this bank. Do not ask us to grant you an extension of time on this installment, as we have absolutely no right or desire to grant you favors which we can not grant to each and every borrower from the bank. We expect you to remit before laying this letter aside.

Now, mark the contrast between our attitude toward the railroads and our attitude toward the farmer. I will reread the latter part of the second paragraph of this letter:

In view of these facts, you can see that it is decidedly to your advantage to at once pay the above installment, with interest thereon for default at 8 per cent from date due up to and including date on which remittance is received at this bank.

The railroads failed to meet the interest due to the Government on bonds which they obligated themselves to meet at 6 per cent; and the action of this body is to meet and solemnly promise, by the report of the bill favorably, to reduce the rate of interest from 6 per cent to 4 per cent. In this case they propose that when Providence, nature, absolutely denies the farmer, the man conducting the basic industry of the country, the power to meet his obligations he is to be penalized without notice by means of an increased rate of interest to 8 per cent, and a threat to foreclose the mortgage and turn him out of doors; and his only recourse is to apply to some local bank at the same rate of interest, 8 per cent, in order to be permitted to go on and produce the food and clothing for this country.

Mr. President, the bill for the relief of the railroads will not pass this body until recognition is given to the claims of those whom the Government recognizes as constituting the vast unorganized army upon whose aggregate production the whole superstructure of America stands. I congratulate this body that we did in part recognize the claim of the unorganized producers of this country upon the Government to the extent that we gave them the privilege and facility of mortgaging their land in order to get enough money to meet the deficiency between the cost of what they produced and the price they got for it. They had to mortgage the very capital, the very basis out of which their living was to be made, in order to carry on the work so essential to the welfare of this country. They then instituted the intermediate credit banks, and I myself looked into the workings of that system. It does in some degree add a facility for the financing of agriculture; but the rate of interest and the method by which one obtains it is very little removed from the ordinary process of borrowing from an ordinary bank.

I had hoped that the Senate would take cognizance of the distressed condition of these people. I want to read one other letter from a man who is not only a farmer but one of the leading attorneys in my State. In a letter to me he says:

I notice in to-day's papers that you propose that the Government lend to the drought sufferers of last year, those who borrowed money from the Federal land banks on mortgages on their lands, and who, on account of the drought, can not meet their interest payments,

money to pay off the interest. You are absolutely correct in saying that unless relief of that kind or some other is extended to these people hundreds of them will lose their lands. Something of the kind should be done, and done at once, or else an act of Congress should be passed, if such could be done, whereby the land banks would extend the time for these payments, and during such extended time there should be no interest charged.

It is pitiful to realize, as I and hundreds of others in the northern and western sections of South Carolina do, that scores and hundreds of our farmers can not meet their interest or amortization payments, nor can they pay their taxes, for they made nothing—

He italicizes and emphasizes that fact—

last year on account of the drought that prevailed in these sections of our State; and they are among our best people. With their lands sold from under them and they made homeless and landless, what interest can they have further in our State? And why should they lose their homes for no fault of their own, but because Providence failed to favor them?

I do hope that you may be instrumental in doing something for this class of our people, else they will soon be made to join the tenant class in our State that is growing by leaps and bounds. Our county papers in South Carolina are filled week by week with sales of lands for taxes. It were better for the State and the counties to lose these taxes than to render people homeless and transform them from home owners to the tenant class. As you well know, the burden of government, Federal and State, county and municipal, is growing yearly. One can but wonder sometimes what the end will be.

This afternoon I shall have no more to say on this subject than what I have already stated to the Senate; but I am going to insist that the Committee on Banking and Currency shall report that bill out, whether favorably or unfavorably, so that the measure may be before this body. I hope they will take action on it before this railroad proposition comes up. If they do not, or even if they do, I propose to add to the railroad relief bill the proposition I have already advanced—relief for those who, from no fault of theirs, no manipulation of stocks and bonds, no watering or anything, have sustained this great loss. In fact, they were the victims of the lack of water, as these others, perhaps, were the victims of too much water.

I shall propose an amendment to that bill providing for the relief of these bankrupt and distressed producers in the agricultural districts of the Southeast, as we propose to come to the rescue, and perhaps rightfully, of railroads which find themselves in such a condition that they can not carry on without relief.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its clerks, returned to the Senate, in compliance with its request, the message from the Senate announcing its agreement to the conference report on the bill (S. 1226) to amend the trading with the enemy act.

#### DISTRICT OF COLUMBIA APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes.

Mr. PHIPPS. Mr. President, the formal reading of the bill having been dispensed with, I ask that the bill be read for action on the committee amendments.

The PRESIDING OFFICER. The Clerk will proceed to read the bill.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the subhead "Office of corporation counsel," on page 5, line 14, after the figures "\$40,040" to strike out the comma and the words "and no part of this appropriation shall be available for the compensation of any person giving less than full time to his official duties;" so as to make the paragraph read:

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, \$6,000, and other personal services in accordance with the classification act of 1923, \$34,040; in all, \$40,040.

The amendment was agreed to.

The next amendment was, under the subhead "Coroner's office," on page 5, line 19, to increase the appropriation for personal services in accordance with the classification act of 1923, from \$6,200 to \$7,100.

The amendment was agreed to.



The next amendment was, under the subhead "Public Utilities Commission," on page 7, line 8, before the word "personal," to strike out "attorney at law, \$6,000, and for other" and insert "For"; and in line 10, after the figures "\$40,620," strike out the semicolon and the words "in all, \$46,620; and no part of this appropriation shall be available for the compensation of any person giving less than full time to his official duties," so as to make the paragraph read:

For personal services in accordance with the classification act of 1923, \$40,620.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the director of traffic," on page 8, line 21, before the word "such," to insert "not exceeding \$350,000 of," so as to make the paragraph read:

For personal services in accordance with the classification act of 1923; for purchase, installation, and maintenance of traffic lights, signals, controls, and markers, painting white lines, labor, traffic surveys, city planning in relation to traffic regulation and control, and such other expenses as may be necessary in the judgment of the commissioners, \$100,000, and in addition not exceeding \$350,000 of such fees as may be received during the fiscal years 1926 and 1927 for re-issuing motor-vehicle operators' permits, which shall be applied exclusively to the purchase, installation, and maintenance of traffic lights and additional new street lamps and fixtures incidental to such work.

Mr. KING. Mr. President, I have had the opportunity of associating myself with the able Senator from Colorado [Mr. PHIPPS] and the Senator from Virginia [Mr. GLASS] upon this bill, and with most of its provisions I am in hearty accord. I take this occasion to pay tribute to the very faithful service which has been rendered by the Senator from Colorado, not only in the preparation of the bill but in all of his activities in connection with the District of Columbia.

This is perhaps one of the very few amendments in the bill with which I do not agree. I am entirely dissatisfied with the traffic director and his activities and the multitude of rules and regulations, amounting to hundreds, promulgated by him and his subordinates, many of which have been changed and modified and more of which must be changed and modified. I think we are giving too much authority to him and we are making too large appropriations.

I think we made a mistake when we passed the law creating the office of the director of traffic in that form. If we had given additional power to the chief of police and given him an assistant charged with the responsibility of formulating and enforcing under his chief, and, of course, under the District Commissioners, such rules and regulations as were necessary under the authority which then existed, we would not have had the mortifying experiences which have followed the new traffic law and the attempts to enforce it by the present director of traffic.

The amendment is before us. I shall not make any motion to strike it out or to modify it, but I did not feel that I should permit the bill to go through without expressing my disapproval of the traffic arrangements, of the maladministration of the authority and power conferred, and, indeed, of many of the foolish and absurd rules and regulations which have been promulgated.

This bill proposes to give the director of traffic a large amount of money, nearly three or four hundred thousand dollars, for lighting and for experimentation without sufficient restrictions. I am opposed to it. I think it unwise, and I regret that I am compelled to dissent from the action of the committee with respect to this item.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. Mr. President, I would like to ask the Senator in charge of the bill whether adequate appropriations are recommended to take care of the streets in Washington?

Mr. PHIPPS. Mr. President, that was one problem to which the committee gave more thought and study than to any other. With a desire to avoid increasing the rate of taxation, which would perhaps be necessary had we added to the amount of the bill as it came from the House, that is to say, increasing the total of the amount, the committee endeavored to find places wherein certain activities might possibly be deferred for a year without disastrous results. The committee believes that it was successful in finding some such places. In two instances, where appropriations have been allotted to school buildings, the work would not require the entire amount during the year, as in two other cases, of the building of gymnasiums and assembly halls, aggregating \$150,000; and the committee has

added by amendment, if the amendment shall be approved, \$400,000 for the resurfacing of the streets.

The data which we have collected show that our program to-day is just about four years behind what it should be, estimating the proper expected life of asphalt and other pavings at 30 years, as against 20 years, which is accepted in many cities as a life that should be satisfactory. We have accumulated year by year cases of necessity of resurfacing, and by reason of that we are to-day expending large amounts for keeping up little repairs, doing patch work on the streets, which is becoming unduly expensive. Many of the streets are being patched.

For the streets that are 30 years of age or over we find a surface of eight hundred and fifteen thousand and odd square yards, to replace which will cost \$2,345,000, and yet we have only been resurfacing at the rate of about three to four hundred thousand dollars a year, and the bulk of the item—which has unfortunately all been combined in one, repairs and resurfacing—has gone to repairs instead of actually replacing the surface of the streets.

The Senate committee hopes to convince the Members of the House: First, that those items should be separated; secondly, that we should adopt a four or five year program, which will enable us to catch up at least at the end of four or five years. By adding this \$400,000 to the bill in the way which we have done it we are really providing for only one year's work, where nearly five years' work has accumulated.

Mr. SWANSON. I do not know who is responsible for it, but it seems to me that the streets of Washington, especially the thoroughfares, are in as wretched a condition as one would find in little towns of four or five thousand people. This is the Capital of the Nation, and I have never seen the thoroughfares of the city in worse conditions. I hope the committee will succeed in getting an appropriation sufficient to put the streets in a condition suitable to the Capital of this Nation.

I suggest to the Senator in charge of the bill that it seems to me that in Washington there should be higher automobile taxes, which could be used to take care of the streets. It seems to me that less is charged for automobile licenses in this city and less for gasoline than is charged in other cities where the taxes are dedicated to taking care of the streets. I suggest to those in charge of District affairs that there should be a fund which could be used for this purpose. I know somebody is responsible for the wretched condition of the Washington streets.

Mr. PHIPPS. I may say to the Senator that the gasoline tax is bringing in a very considerable revenue, but, unfortunately, for those who desire to see the streets resurfaced, a very large amount has been allocated to the paving of the streets and the development of new streets, where, of course, the abutting property owner pays 50 per cent of the cost of his frontage. Our desire is to divert more money from the gas tax to resurfacing, and that is what your committee is endeavoring to do, adding \$400,000 to the \$250,000 which the House appropriated for that purpose, and about \$200,000 which, I think, was carried in the deficiency appropriation bill.

Mr. SWANSON. I have gone out to the suburbs of the city, and the streets and pavements are much better there than in the lower parts of the town, where we find the main traveled thoroughfares. I think the committee has recommended a good appropriation, if the main thoroughfares are to be taken care of, but the thoroughfares down town in the city of Washington are more suitable to towns of about four or five thousand inhabitants.

Mr. PHIPPS. Let me say to the Senator that I have made it my personal duty to travel around as many of the side streets, those paralleling the main thoroughfares, as possible, and in that way to convince myself at least that this resurfacing program must be gone ahead with, and that without further delay; otherwise the repairs will eat us up.

Mr. SWANSON. Am I to understand that relief is to be given piecemeal, about 25 per cent a year, and that for three or four years a great many of the streets are to be in the same wretched condition in which we find them now?

Mr. PHIPPS. I think not. I was speaking of the number of streets having a surface over 30 years of age. I believe that by using the appropriation in the deficiency bill, and the amount in this bill, we can have the streets in reasonably good condition at the beginning of the following fiscal year.

Mr. SWANSON. Can the city of Washington use any of the gasoline tax and automobile tax for the resurfacing of the streets without the consent of Congress?

Mr. PHIPPS. No; the commissioners can not use any money without an appropriation by Congress.



Mr. SWANSON. Why do we not dedicate a certain amount of the automobile tax, and a certain amount of the gasoline tax, entirely to the resurfacing of the streets, so that we will not have to wait?

Mr. PHIPPS. The commissioners themselves have designated various streets to be resurfaced out of that tax, and your committee has added to that very largely. It has more than doubled the recommendation of the House.

Mr. KING. I think the Senator ought to put in the Record at this point the amount that was added for the purpose of resurfacing the streets, unless the Senator has made that statement already.

Mr. PHIPPS. That is the amount I have stated. The House provided an item for repairs and resurfacing of about \$270,000, to be devoted to resurfacing of streets that are not definitely designated in the bill, and there are about half a dozen items which are designated which will aggregate, as I recall, about \$100,000, to which the Senate committee added \$400,000.

Mr. KING. I want the Record to show that the Senate committee added approximately \$500,000 for resurfacing and for needed improvements above the provisions of the House, with respect to resurfacing and similar repairs, and in order to accomplish that purpose we have been compelled to reduce the appropriations which ought to apply to some of the suburban parts of the city; but the wretched condition of the streets in the business parts of the city, as suggested by the Senator from Virginia, constrained the committee to pursue the course which it did. Some of our friends in the suburban parts of the city will have to wait until next year, although the bill, I think, deals very generously with all parts of the city. The committee visited all sections of the city, the streets of the suburban districts as well as in the central and business sections of the city, and attempted to make a fair and just allocation of the funds which we deemed available and reasonably necessary for street purposes for the coming year.

Mr. COPELAND. Mr. President, may I ask the Senator from Colorado what the situation is with reference to the widening of H Street and the plans that the committee have in mind?

Mr. PHIPPS. As to the widening of the street, the work under the deficiency appropriation bill will probably be undertaken very soon. That carries an item for the widening of the street. The House had put an item in the pending bill to continue the work. They had no Budget estimate for it. The committee went over the ground and believed that was one item that could be allowed to go over for another year, and by that time we will see what the effect of the widening of the street will be. The attitude of the committee is not one of opposition but one of expediency.

Mr. COPELAND. I understand the Senator feels that perhaps it could not be done now; but—

Mr. PHIPPS. I was confused, and the clerk of the committee corrects me. The widening of H Street is a matter to which the committee is not opposed, but it was thought desirable to leave it out this year.

Mr. COPELAND. But there is a prospect that it may be taken up within a year or so?

Mr. PHIPPS. I would think so. In the natural course of events it would probably come in next year; but I think some of the citizens who would be affected by it, who would be called upon to pay a large amount of the costs, are really not ready for it yet.

Mr. COPELAND. It depends largely upon getting the full consent of those property owners?

Mr. PHIPPS. Approximately. I would not say it would require full consent.

Mr. COPELAND. May I ask the Senator what the situation is with reference to Sherman Circle?

Mr. PHIPPS. The committee were impressed with the necessity of taking care of that situation, and we believe we have done so.

Mr. COPELAND. I thank the Senator.

Mr. KING. Before proceeding further with the committee amendments we passed over an item on page 4 to which I wish to direct attention. It does not call for any amendment. In lines 20, 21, and 22 we appropriate \$155,240 for the assessor's office. I appreciate the fact that the point I am about to make would be general legislation and therefore would be subject to a point of order if I should tender an amendment to cover it. But I want to make just one observation, hoping that the assessor's office will adopt the suggestion which I am about to make. If not, I feel that some general legislation is imperatively needed.

I have received hundreds of complaints from taxpayers of the District to the effect that they receive no notice what-

ever of their tax assessments. They say that their complaint applies to real estate as well as personal property. By reason of getting no notice of the assessments levied against their property, in many instances property has been sold without their knowledge. Perhaps there was some negligence upon their part. I express no opinion with reference to that. In some instances, when they would go to pay their taxes and thought they had discharged their entire liability, where they would have a number of segregated pieces of property, they would not discover for a number of years afterwards that they had failed to pay the tax upon some piece of property. One case which was brought to my attention was with reference to a piece of improved property, the owner of which was awakened one morning by finding a number of people out upon the property tearing down some of his trees and attempting to plant others. When he made inquiry they said, "This property was sold at tax sale and now belongs to us."

I am advised that there are a number of men in the District forming a sort of combination for the purpose of securing tax titles, and they are profiting inordinately by the course which they pursue. I do not want to condemn or criticize the assessor's office, but many criticisms have been lodged with me by reason of the course pursued. Those who are in the coterie and buy these tax titles, of course, before they will give a quit-claim or make any relinquishment, exact enormous profits, and in some instances I am told the owners have had the utmost difficulty in securing their own property.

Mr. SMOOT. Mr. President, will my colleague yield?

Mr. KING. Certainly.

Mr. SMOOT. Do I understand that a person whose property is sold for taxes in the District of Columbia has not a certain time within which to redeem that property?

Mr. KING. I think that is true.

Mr. SMOOT. Then we ought to have legislation on the subject immediately.

Mr. KING. I mean to say that they have a period of redemption.

Mr. SMOOT. Does the Senator know the length of time?

Mr. KING. No; I do not recall it. Some of the letters which I have received state the fact and the time of redemption, but they claim that, getting no notices, they are misled as to the amount of their taxes and do not know the exact amount, and where they have a number of tracts or parcels of land or various kinds of personal property they are unable to determine, without searching the records, the aggregate amount which is due, and frequently, or at least occasionally, the entire amount is not paid, without fault upon their part, and they awaken to a realization of the fact later that some tax title is outstanding against their property by virtue of a tax deed.

I hope the assessor's office will institute a fair and proper system of notification to the taxpayers with reference to their taxes. If the appropriation in the pending bill is not adequate to enable them to perform that duty properly, we ought to increase it, but the large amount which I have indicated it seems to me should answer every legitimate demand.

Mr. FLETCHER. Mr. President, I have no fault to find with the rather liberal provision which appears to be made for the director of traffic, and I have no fault to find with the plan for improving the streets and taking care of the streets. The suggestion which the junior Senator from Utah has just made is an important one.

There is a condition in the city of Washington that I think is most deplorable. I am not in a position to put my finger on the trouble, but anyone who reads the newspapers from day to day must recognize the fact that the casualties on the streets of Washington arising from alleged automobile accidents are simply enormous. There seems to be a sort of impression here that the pedestrian has no rights on the streets at all. Even the right to use the sidewalk is sometimes questioned, because automobiles go after the pedestrian even on the sidewalks. Day after day people are killed here in Washington—an elderly lady run over and killed, a child 9 years old run over and killed—and what happens? Mr. Coroner makes a so-called investigation or inquiry and decides that there has been an unavoidable accident. In nine cases out of ten, I venture to say, the people who are reckless with regard to human life escape on the ground that what has happened was an unavoidable accident.

There is something wrong somewhere with the whole system. I do not know just what it is. I do not know whether the pending bill takes care of the pay of the coroner in the District or not, but it seems to me the coroner is more or less in a conspiracy with the automobile operators and owners, and the average individual who has to walk and is not able to fly and who ought to have some rights on the streets is utterly ignored by all of them. A man takes his life in his hand whenever he



starts out to walk in the city of Washington. It is an awful situation.

I have not had the time to investigate as to the statistics and to compare conditions here and accidents which happen here with conditions in other cities, but it does seem to me the situation has reached an alarming point in Washington. Day after day we read about people being run over and killed by automobiles. Mr. Coroner sits and decides that there has been an unavoidable accident in practically every case. Nobody gets punished. It simply means that the people who venture to use the highways, which ought to be available for their use, are taking their chances every day and are liable to be run over. There is something wrong with the situation. I hope the committee have had it brought to their attention and will do something about it.

Mr. PHIPPS. May I say to the Senator that the committee had before it not only the commissioners, but the director of traffic, Mr. Eldridge. The hearings show that some 11 pages are taken up by the testimony of Mr. Eldridge as to investigations made of the various types of electric signals and automatic control of traffic on the highways, what the experience has been in other large municipalities, and the details as to the lighting, cost, and all such things. In response to a question by the Senator from Kansas [Mr. CAPPER] as to the result of the lighting system, among other things, Mr. Eldridge said:

On Sixteenth Street there were 51 accidents during November and December before the lights were put on. They were put on during the early part of January and we have had 30 accidents on the street since then. During November and December there were 12 serious accidents and 1 death. During the months of January and February there were only four serious accidents and no deaths.

Senator PHIPPS. What was it in March?

Mr. ELDRIDGE. We have not received the figures for March as yet.

This hearing was about the latter part of March. We did not have very much testimony with reference to traffic conditions. It was rather scattering as to the accidents, but the belief was very strong upon the part of everyone that the automatic control of traffic by the signal lights was proving a success, that it would take a little time to accustom the people to it, but that pedestrians are already learning that the safe time to cross a street is when the lights show green or white and never when they show red; that they should not attempt to cross facing a red light.

Mr. SMOOT. Mr. President, I would like to ask the Senator if the question of glaring headlights that automobilists are required to use in the District of Columbia has ever been discussed in connection with accidents in the District?

Mr. PHIPPS. It has not been discussed before the Appropriations Committee. It has been discussed before the District Committee.

Mr. SMOOT. I can not understand why the District of Columbia should require automobiles to be equipped with glaring headlights, so that one driving toward them can not see even a quarter of a block when they shine in his face. The dim lights are not used, but automobiles are compelled to use the glaring lights.

Mr. KING. Mr. President, may I say to my colleague that in a recent hearing I called the attention of Mr. Eldridge to that fact, and expressed my disapproval of the method and the operation of the present plan, and he said that was the right way. Of course, I disagree with him.

Mr. SMOOT. I know when I am out in the evenings, when I meet an automobile I tell the driver of my automobile to go just as close to the other side of the street as he can and stop.

Mr. FESS. Mr. President, will the senior Senator from Utah yield to me?

Mr. SMOOT. Yes.

Mr. FESS. I understand that a driver must use the dimmers and not permit the full light; that to do so is against the regulation.

Mr. SMOOT. I wish I might take the Senator from Ohio out riding with me some evening and let him see to what extent the dimmers are being used.

Mr. FESS. I myself do not drive an automobile, but I ride in an automobile almost every day and especially during the evening, and the regulation to which I refer is the one under which the driver always operates. It is against the regulation to use any lights but the dimmers.

Mr. FLETCHER. Mr. President, I wish to say in reference to what the Senator from Colorado [Mr. PHIPPS] has observed regarding the lights at the intersection of Sixteenth and Fifteenth Streets and Massachusetts Avenue, and at other points, that I think they have been very satisfactory. I think they have been the means of preventing a great many accidents. I happen to live at the corner of Massachusetts

Avenue and Fifteenth Street and there was an accident there almost every day and every night, sometimes two or three a day, until those lights were installed. Since then I do not think there have been any accidents.

Mr. FESS. If the automobilists will obey the signal lights, there is no reason at all why there should be any accidents.

Mr. FLETCHER. That is a very admirable system, and also protects the pedestrian if he will observe the signals. I am not excusing the pedestrian who recklessly goes across the street when he knows he ought not to attempt it; but most of the accidents are happening, I think, outside of the zone where there has not been an installation of the green and red lights, where that system is not in operation, perhaps down town and in other portions of the city. But I think there has been a very great improvement in that regard. The installation of this system has been most helpful, and I think has been the means of preventing a great many accidents. Of course, those lights can not be extended everywhere. Accidents are still happening, and they constitute quite a serious menace, it seems to me, in other parts of the city.

Mr. KING. Mr. President, just a word. The Senator from Colorado [Mr. PHIPPS] has called attention to the statement made by Mr. Eldridge respecting accidents on Sixteenth Street. The fact is that there was bound to be a diminution in the number of accidents after the installation of the electric lights for the reason that people would not travel on Sixteenth Street; the traffic there was cut in half; perhaps for a period of six weeks or two months after the installation of the lights it was cut to less than 25 per cent compared with what it was prior to that time. Motorists would travel down the streets on either side of Sixteenth Street rather than down Sixteenth Street.

Mr. FESS. I want to say that I can confirm that statement. A great many persons avoid a street where the lights have been installed in order not to be held up.

Mr. SMOOT. I myself do so.

Mr. FESS. Many persons do.

Mr. KING. Mr. President, I desire further to say that Mr. Eno, who, perhaps, has given more time to the consideration of the subject of vehicular traffic than has any other man in the United States, is averse to this system of lighting and signaling. In his latest pamphlet of, perhaps, 100 or 150 pages he discusses that question and again emphasizes, as he has done in a former edition of his work, his objections to the system.

Mr. FESS. After all, the whole trouble is we have too many automobiles.

Mr. KING. After all, Mr. President, we do not have intelligent and rational traffic regulations and intelligent and rational handling of the motor traffic. If we had one head it would be far better. Then if that head were the head of the police and he could coordinate all of those activities, it would be very much better than to have the present system which prevails in this city.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Contingent and miscellaneous expenses," on page 10, line 16, after the words "Board of," to strike out "Charities" and insert "Public Welfare," so as to make the paragraph read:

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; purchase of laboratory apparatus and equipment and maintenance of laboratory in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies and bicycles not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department not to exceed \$800 in the aggregate; traveling expenses, including not exceeding \$1,000 for payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; and other general necessary expenses of District offices, including the personal-tax board, harbor master, health department, surveyor's office, office of superintendent of weights, measures, and markets, department of insurance, and Board of Public Welfare, \$50,600.

The amendment was agreed to.

The next amendment was, on page 11, line 12 after the words "Board of," to strike out "Children's Guardians" and insert "Public Welfare," so as to make the paragraph read:

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, \$72,680; for exchange of such passenger-carrying automobiles now owned by the District of Columbia as, in the judgment of the commissioners of said District, have or shall become unserviceable, \$12,000; and for the purchase of



passenger-carrying automobiles as follows: Surface division, two Ford roadsters, \$900; two Ford touring cars for the electrical department, \$900; one Ford sedan for the Board of Public Welfare, \$700; in all, \$87,180.

The amendment was agreed to.

The next amendment was, on page 13, line 5, after the word "plumbing," to strike out "secretary of the board of charities" and insert "director of public welfare," and in line 10, after the word "men," to insert "the superintendent of machinery and the fire marshal," so as to make the paragraph read:

Telephones may be maintained in the residences of the superintendent of the water department, sanitary engineer, chief inspector of the street-cleaning division, assistant superintendent of the street-cleaning division, inspector of plumbing, director of public welfare, health officer, assistant health officer, chief of the bureau of preventable diseases, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, one fire-alarm operator, and two fire-alarm repair men, the superintendent of machinery and the fire marshal, under appropriations contained in this act. The commissioners may connect any or all of these telephones either to the system of the Chesapeake & Potomac Telephone Co. or the telephone system maintained by the District of Columbia or to both of such systems.

The amendment was agreed to.

The next amendment was, under the heading "Street and road improvement and repair, street improvements," on page 16, after line 21, to insert:

Northwest: For paving Oak Street, Ogden Street to Sixteenth Street, \$7,600.

The amendment was agreed to.

The next amendment was, on page 17, after line 2, to insert:

Northwest: For paving Ninth Street, Quincy Street to Rock Creek Church Road, \$4,300.

The amendment was agreed to.

The next amendment was, on page 17, after line 4, to insert:

Northwest: For paving Rock Creek Church Road, Georgia Avenue to Spring Road, \$5,600.

The amendment was agreed to.

The next amendment was, on page 17, after line 6, to strike out:

Northwest: For paving Nicholson Street, west to Colorado Avenue, \$7,900.

The amendment was agreed to.

The next amendment was, on page 17, after line 12, to insert:

Northeast: For paving Second Street, T Street to Rhode Island Avenue, \$2,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 16, to strike out:

Northeast: For paving Franklin Street, Sixth Street to Seventh Street, \$7,200.

The amendment was agreed to.

The next amendment was, on page 18, after line 5, to strike out:

Northwest: For paving Cleveland Avenue, Cathedral Avenue to Garfield Street, \$14,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 11, to strike out:

Northwest: Audubon Terrace, Linnean Avenue to Broad Branch Road, \$15,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 2, to insert:

Northwest: University Avenue, south of Massachusetts Avenue, \$7,000.

The amendment was agreed to.

The next amendment was, on page 19, line 13, after the words "In all," to strike out "\$183,100" and insert "\$165,500," so as to read:

In all, \$165,500; to be disbursed and accounted for as "Street improvements," and for that purpose shall constitute one fund, and shall be available immediately.

The amendment was agreed to.

The next amendment was, under the subhead "Gasoline tax road and street fund," on page 20, after line 7, to strike out:

Northwest: Pennsylvania Avenue (south side), Washington Circle to Twenty-fifth Street, \$5,000.

The amendment was agreed to.

The next amendment was, on page 20, line 12, before the word "Street," to strike out "Fourteenth" and insert "Twelfth"; and at the end of line 13, to strike out "\$55,000" and insert "\$74,400," so as to make the paragraph read:

Northwest: K Street, Twelfth Street to Connecticut Avenue, \$74,400.

The amendment was agreed to.

The next amendment was, on page 20, after line 13, to insert:

Northwest: K Street, Connecticut Avenue to Eighteenth Street, \$8,800.

The amendment was agreed to.

The next amendment was, on page 20, after line 15, to insert:

Northwest: Belmont Street, Fourteenth Street to Fifteenth Street, \$11,200.

The amendment was agreed to.

The next amendment was, on page 20, after line 17, to insert:

Northwest: Chapin Street, Fourteenth Street to Fifteenth Street, \$12,500.

The amendment was agreed to.

The next amendment was, at the top of page 21, to strike out:

Southeast: Minnesota Avenue, Good Hope Road to Eighteenth Street, \$28,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 7, to insert:

Southeast: Third Street, E Street to Virginia Avenue, \$7,400.

The amendment was agreed to.

The next amendment was, on page 21, after line 23, to insert:

Northeast: Fourteenth Place, North Carolina Avenue to D Street, \$9,500.

The amendment was agreed to.

The next amendment was, at the top of page 22, to insert:

Northeast: D Street, Fourteenth Street to Fifteenth Street, \$8,900.

The amendment was agreed to.

The next amendment was, on page 22, after line 2, to insert:

Northeast: Orleans Place, Sixth Street to Seventh Street, \$4,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 4, to insert:

Northeast: Morton Place, Sixth Street to Seventh Street, \$4,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to strike out:

Northwest: Thirty-fifth Street, Prospect Street to Wisconsin Avenue, \$75,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to strike out:

Northwest: Calvert Street, Connecticut Avenue to Twenty-ninth Street, \$24,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 18, to strike out:

Northwest: Varnum Street, Seventeenth Street to Eighteenth Street, \$8,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 20, to strike out:

Northwest: Eighteenth Street, Varnum Street to Webster Street, \$5,300.

The amendment was agreed to.

The next amendment was, on page 22, after line 22, to strike out:

Northwest: Webster Street, Seventeenth Street to Eighteenth Street, \$8,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 24, to strike out:

Northwest: Thirtieth Street, Upshur Street to Allison Street, \$21,000.

The amendment was agreed to.

The next amendment was, at the top of page 23, to strike out:



Northwest: For widening to 70 feet and repaving the roadway of Eleventh Street from New York Avenue to Massachusetts Avenue, \$45,000, and 40 per cent of the entire cost of such work shall be assessed against and collected from the owners of abutting property in the manner provided in the act approved July 1, 1914 (38 Stat. L. p. 524), as amended by section 8 of the act approved September 1, 1916 (39 Stat. L. p. 716); and the owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalk or parking on said street if it be found necessary to change such vaults to permit of the roadway being widened.

The amendment was agreed to.

The next amendment was, on page 23, line 25, after the words "In all," to strike out "\$642,500" and insert "\$508,900," so as to read:

In all, \$508,900; to be disbursed and accounted for as "Gasoline tax, road and street improvements," and for that purpose shall constitute one fund and be available immediately.

The amendment was agreed to.

The next amendment was, under the subhead "Street repair, grading, and extension," on page 24, at the end of line 17, to strike out "\$5,000" and insert "\$15,000," so as to read:

For the condemnation of small park areas at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the commissioners, \$15,000.

The amendment was agreed to.

The next amendment was, on page 24, line 22, after the word "highway," to strike out "except Fourteenth Street extension and Piney Branch Road extension," so as to read:

To carry out the provisions contained in the District of Columbia appropriation act for the fiscal year 1914 which authorize the commissioners to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and Georgetown there is appropriated such sum as is necessary for said purpose during the fiscal year 1927, to be paid wholly out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 25, line 5, after the word "extended," to insert a colon and the following additional proviso:

*Provided further,* That this appropriation shall be available to pay the awards and expenses under the act approved March 11, 1926, authorizing the widening of First Street between G Street and Myrtle Street NE.

The amendment was agreed to.

The next amendment was, on page 25, line 14, after the word "work," to strike out "\$600,000" and insert "\$1,000,000," so as to make the paragraph read:

Repairs: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to asphalt pavements with the same or other not inferior material, and including the maintenance of nonpassenger-carrying motor vehicles used in this work, \$1,000,000, to be available immediately. This appropriation shall be available for repairing pavements of street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

The amendment was agreed to.

The next amendment was, on page 26, after line 8, to strike out:

No part of any appropriation contained in this act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition.

The amendment was agreed to.

The next amendment was, on page 26, line 15, after the word "and," to strike out "strikes" and insert "strakes," so as to read:

For replacing fender and cluster piles, curbs, and strakes, including necessary repairs to concrete substructure at the District fish wharf, \$10,000.

The amendment was agreed to.

The next amendment was, on page 26, line 21, before the word "and," to strike out "Kling Road" and insert "Connecticut Avenue over Kling Valley," and in line 22, before the word "bridges," to insert "southeast," so as to read:

#### BRIDGES

For construction and repair of bridges, including maintenance of nonpassenger-carrying motor vehicles, \$40,000.

For constructing highway guards on the Calvert Street, Connecticut Avenue over Kling Valley, and Pennsylvania Avenue SE, bridges, to be available immediately, \$25,000.

The amendment was agreed to.

The next amendment was, under the heading "Public playgrounds," on page 30, line 13, after the numerals "1923," to strike out "\$87,925" and insert "\$94,085," so as to read:

For personal services in accordance with the classification act of 1923, \$94,085.

The amendment was agreed to.

The next amendment was, on page 30, line 15, before the word "shall," to insert "except directors who shall be employed for 12 months," so as to make the proviso read:

*Provided,* That employments hereunder, except directors who shall be employed for 12 months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia appropriation act for the fiscal year 1924.

The amendment was agreed to.

The next amendment was, on page 31, at the end of line 15, to change the total appropriation for playgrounds from \$162,805 to \$168,965.

The amendment was agreed to.

The next amendment was, under the heading "Electrical department," on page 34, line 1, after the figures "\$4,200" to insert a comma and "to be immediately available," so as to make the paragraph read:

For installing police patrol signal system in the proposed No. 13 police precinct and extending telephone system to proposed No. 13 police station house, including the purchase, installation, and relocation of boxes, instruments, wire, cable, conduit, connections, extra labor, and other necessary items, \$4,200, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Public schools," on page 39, at the end of line 6, to increase the appropriation for the purchase of sanitary paper towels and for fixtures for dispensing the same from \$2,600 to \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds," on page 40, line 11, to reduce the appropriation for the completion of the construction of the Francis Junior High School from \$275,000 to \$250,000.

The amendment was agreed to.

The next amendment was, on page 40, line 14, after the word "all" to strike out "\$280,000" and insert "\$255,000," so as to read:

In all, \$255,000, to be disbursed and accounted for as "Buildings and grounds, public schools," and for that purpose, shall constitute one fund and shall be available immediately: *Provided,* That no part of such fund shall be used or on account of any school building not herein specified.

The amendment was agreed to.

The next amendment was, on page 40, after line 23, to strike out:

For continuing the construction of the new building for the McKinley Technical High School, \$200,000.

The amendment was agreed to.

The next amendment was, on page 41, at the end of line 13, to strike out "\$300,000" and insert "\$200,000," so as to read:

For the erection of an extensible junior high school building to replace the present Garnet-Patterson School building, in accordance with the plans of the Macfarland Junior High School, modified as the limits of the site may require, and including the removal of one or both of the present buildings as may be necessary, \$200,000; and the commissioners are authorized to enter into contract or contracts, as in this act provided, for such building at a cost not to exceed \$475,000;

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I should like to make an inquiry in reference to certain items on page 42.

Mr. PHIPPS. Mr. President, if the Senator will pardon me for a moment, there is one amendment I should like to have disposed of before we reach page 42. I desire to offer an amendment to come in on page 41, line 22. At that point I move to insert the words "modified as the limits of the site may require."

In explanation of that amendment I will say that typical school building plans are being used wherever possible. In one or two instances, however, it has been found that they do



not quite fit in with the topography and, therefore, it is necessary, as in this case, to permit a slight modification of the plans.

Mr. FLETCHER. The Senator means to insert the words he has indicated after the word "school" in line 22?

Mr. PHIPPS. Yes; the amendment comes in in line 22 after the word "school."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 41, line 22, after the word "school" and the comma, it is proposed to insert the words "modified as the limits of the site may require."

The amendment was agreed to.

Mr. KING. Mr. President, I hope the chairman of the committee, while he is referring to the schoolhouses, will call attention to the schoolhouse near the Wardman Park Hotel and what some denominate the rather atrocious style of architecture which characterizes it.

Mr. PHIPPS. Mr. President, I will say to the Senator that following an inspection the committee had a conference with the architect, who brought in several school plans, which are still on exhibition in the committee room, and some suggestions were made which we hope will prove helpful.

Mr. KING. I hope so.

Mr. PHIPPS. As to the Calvert Street School, it is only fair to say that when the school building shall have been completed and shall have become a full-fledged building, so to speak, instead of being two-thirds of one, it will present a much better appearance.

Mr. FLETCHER. Mr. President, may I ask the Senator a question about the items on page 42?

Mr. PHIPPS. Certainly.

Mr. FLETCHER. Perhaps we can make one bite of the cherry. In the first place, what occasion is there for increasing the appropriation provided for the Langley Junior High School from \$100,000 and providing for a contract up to \$400,000?

Then there are two other items, one beginning on line 8 and extending to line 11, which reads:

For the construction of a combined gymnasium and assembly hall at the Petworth School in accordance with the original plans for the construction of said building, \$75,000.

That is stricken out.

There is also stricken out the item on page 42, which reads:

For the construction of a combined gymnasium and assembly hall at the West School in accordance with the original plans for the construction of said building, \$75,000.

My information is that those two items ought to stay in the bill and that the committee is making a mistake in recommending that they be stricken out of the House bill. At the same time, there is an item on that page increasing the appropriation for the Langley Junior High School by a considerable amount, and a contract is authorized up to \$400,000 for that school.

Mr. PHIPPS. Mr. President, I wish first to ask the Senator, if he will, to refer on page 41 to the item in reference to the Garnet-Patterson School. In that instance the committee reduced the appropriation from \$300,000 to \$200,000. We cut off \$100,000 there; we added \$100,000 to the appropriation for the Langley Junior High School and authorized the commissioners to enter into a contract for the completion of the addition to that school, because we believed that it was in the interest of economy; that they could make a better contract at a lower cost for a completed building than by letting the contract piecemeal. For that we had the consent and approval not only of the superintendent of schools but of the commissioners as well. We asked how much was involved; and while it is true the superintendent's guess of \$50,000 was pretty high, the chances are that a considerable saving will be effected by contracting for the entire work at one time.

Mr. FLETCHER. Let me ask the Senator precisely where this school is located and what the attendance there amounts to. I am not quite certain about the location of the school.

Mr. PHIPPS. The school is located on T Street NE. The site of the building was pointed out to our committee a year or two ago, and this is for the addition. By building that addition so as to include the assembly hall they will get a better contract than they otherwise would.

Mr. FLETCHER. Can the Senator give us an idea of the attendance there—the number of teachers and pupils?

Mr. PHIPPS. They are running from 1,100 to 1,200, we are told, in these junior high schools. This particular school is overcrowded now.

As to the Petworth School, lines 8 to 11, that is a grade school. Your committee visited that school, and also the West

School, covered in lines 15 to 17, inclusive. Those schools have playgrounds right adjoining them. They have well-finished, high-ceiling basement rooms which are used for class exercises, where the students bring their dumbbells, wands, or other gymnastic apparatus in bad weather. Of course, no doubt, they exercise out of doors in good weather. It was thought that those two schools could well go for another year, because, as I have stated, your committee wanted to find places in the House set-up where activities might be deferred for a year, so that we might divert that amount of money to the purpose of resurfacing streets without increasing the total amount of the appropriation, which would involve an increase in taxation.

Mr. FLETCHER. Mr. President, the Senator believes that eventually, perhaps, these accommodations will be provided. They are very important, but not absolutely essential things, I take it—the gymnasiums and assembly halls in these schools?

Mr. PHIPPS. I do not hesitate to say to the Senator that those of the committee who visited the West School and the Petworth School felt that we could put over that work for a year. We are not opposed to furnishing the assembly halls and gymnasiums; we think it should be done; but we do believe that there is more pressing, urgent need for the resurfacing of these streets.

Mr. FLETCHER. With that assurance, I shall not make any objection.

Mr. LENROOT. Mr. President, I ask unanimous consent to reconsider the action of the Senate whereby the second amendment on page 18 was agreed to.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered.

Mr. LENROOT. I should like to have an explanation from the chairman of the item I spoke to him about yesterday. I will say, before he makes the explanation, that it has been represented to me that the Citizens' Association of Chevy Chase, the Citizens' Association of Mount Pleasant, and the Connecticut Avenue Citizens' Association have all petitioned for this grading; and I should like to know the reason of the committee for taking the action they did.

Mr. PHIPPS. I can perhaps locate the ground for the Senator by asking him if he recalls the old mill on Park Road. Proceeding up Rock Creek, the first turning to the left is the Broad Branch Road; and perhaps 800 yards beyond that turning, or a little over an eighth of a mile, not over a quarter of a mile, is a small draw or valley that comes down from the direction of the Zoo into the Broad Branch Road. The Audubon Terrace location is to the left side, a sloping hillside characteristic of those in Rock Creek Park, which is now fully wooded, with good forest trees on it; and the new street, as proposed in the House bill, would come down into Broad Branch Road at right angles to it.

Mr. LENROOT. Where is Linean Avenue?

Mr. PHIPPS. I do not know where Linean Avenue is on the high ground.

Mr. LENROOT. Where is it in relation to Connecticut Avenue?

Mr. PHIPPS. I could not locate it. I only know that if it continues through to Connecticut Avenue, as it no doubt does, it must be 10 or 12 blocks farther out than Tilden Street, which is an entrance to the park.

Mr. LENROOT. Would it be sufficient to say that it would connect Twenty-ninth Street with Broad Branch Road and make another road from Rock Creek Park to Twenty-ninth Street?

Mr. PHIPPS. Twenty-ninth Street has not yet been opened between Cathedral Avenue and Connecticut Avenue, nor has it been opened on the farther side of Connecticut Avenue, according to my recollection; but the point of the whole situation, as the committee sees it, is this:

Here is a wooded slope affecting Rock Creek Park. If that hillside is denuded of trees the drainage will go into the sewers instead of the water from rainfall coming into Rock Creek; and all those interested in the park think it most important to keep up the flow there to the highest point possible. It looks to us as though this were really a real estate movement for the further development of a new section of territory; and if the people who own the ground are so desirous of cutting down those trees and throwing open that ground for the building of homes they should be sufficiently interested to pay for the grading. Ordinarily the grading, as the Senator may know, is paid for by the city. The cost of the paving is divided.

Mr. LENROOT. Has the street been cut through and the ground cleared?

Mr. PHIPPS. Oh, no; there is no evidence of a street there that can be discovered from Broad Branch Road, at least, nor



do I think you can see any evidence of it. There are some houses on the high ground I should say about half a mile back from Broad Branch Road. You can see houses there.

Mr. LENROOT. If the matter goes to conference, I take it the Senator would be willing to listen to any representations that might be made?

Mr. PHIPPS. Oh, we are quite willing to receive any further information about it.

Mr. LENROOT. I will talk with the Senator about it.

The VICE PRESIDENT. The question is on agreeing to the amendment which has just been reconsidered.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 42, line 2, after the word "School," to strike out "\$1,000" and insert "including an assembly hall and gymnasium, \$200,000; and the commissioners are authorized to enter into contract or contracts, as in this act provided, for said addition at a cost not to exceed \$400,000," so as to read:

For the construction of an addition to the Langley Junior High School, including an assembly hall and gymnasium, \$200,000; and the commissioners are authorized to enter into contract or contracts, as in this act provided, for said addition at a cost not to exceed \$400,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 7, to strike out:

For the construction of a combined gymnasium and assembly hall at the Petworth School in accordance with the original plans for the construction of said building, \$75,000.

The amendment was agreed to.

The next amendment was on page 42, after line 14, to strike out:

For the construction of a combined gymnasium and assembly hall at the West School in accordance with the original plans for the construction of said building, \$75,000.

The amendment was agreed to.

The next amendment was, on page 42, line 18, after the word "all," to strike out "\$1,620,000" and insert "\$1,270,000;" so as to read:

In all, \$1,270,000 to be disbursed and accounted for as "Building and grounds, public schools, surplus revenue fund," and for that purpose shall constitute one fund, and remain available until expended: *Provided*, That no part of such fund shall be used for or on account of any school building not herein specified.

The amendment was agreed to.

The next amendment was, on page 43, line 5, before the word "bidder," to insert "responsible," so as to read:

None of the money appropriated by this act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, and plumbing, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract.

The amendment was agreed to.

The next amendment was, on page 44, line 10, after the word "fund," to strike out the colon and the following provisos:

*Provided*, That no part of the appropriation herein made shall be expended for the purchase of any site the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value: *Provided further*, That if any of the sites above enumerated can not be purchased under said limitation as to price then any of said moneys remaining unexpended or unobligated by reason of such price limitation, plus the unexpended balance of the appropriation of \$154,000 contained in the second deficiency act, fiscal year 1925, on account of the Park View School, which is hereby reappropriated, may be expended, subject to said limitation as to price, in the purchase of any or all other land authorized to be acquired in the five-year school building program act, approved February 26, 1925 (43 Stat. p. 986).

Mr. PHIPPS. Mr. President, just a word at that point.

I think it is only fair to say that the committee looks upon the proposition set forth by the House as a most important matter, and one which should not have approval without serious consideration. While it may find that some of the language included within that stricken out is proper, and should remain in the bill, the only clean way in which to handle the matter is to have the whole situation before us when we go to conference. Therefore we propose to eliminate all of the lan-

guage included within the provisos, so that we can discuss it with the representatives on the part of the House.

Mr. WILLIS. Mr. President, I desire to ask a question of the Senator. I notice, for example, on page 48—we are now on page 44—a similar proviso, or a proviso in part similar.

Mr. PHIPPS. Wherever the limitation of 25 per cent above the latest appraised value occurs the committee recommends striking it out, so that the whole question may be considered in conference.

Mr. WILLIS. Does not that appeal to the Senator as being a wise provision?

Mr. PHIPPS. Leaving it in?

Mr. WILLIS. Yes.

Mr. PHIPPS. There are arguments on both sides, I am perfectly frank to admit, but the arguments against it presented by the commissioners, presented by the superintendent of parks, presented by two or three other officials, and presented by citizens' organizations were, to the minds of the committee, stronger, certainly more definite, and more insistent than those that were received in favor of it.

Mr. WILLIS. I have the greatest confidence in the judgment of the Senator from Colorado, particularly upon a business proposition; but it did seem to me that that was rather wise legislation. It would prevent the public from being help up. It seems to me it is good legislation.

Mr. KING. Mr. President, I am not quite in accord with the action of the committee with respect to this matter; and yet at the time it was under consideration I felt constrained not to express any dissent.

There are some reasons which might prompt the committee to take this course. I shall not enumerate them. It is possible—indeed, it is quite certain—if those handling the money will act with prudence, that they may secure results which will be satisfactory in the acquisition of school sites. I want to say now that I have felt that some of the school sites have cost entirely too much, and that the District has been held up; and I do not approve of some of the methods adopted in acquiring these school sites and the lack of vigor, in my judgment, in prosecuting the suits for condemnation where the District was forced to go into the courts to exercise the right of eminent domain.

I do not want to criticize the lawyers who handled the cases; but I do express my opinion, from the investigations which I made, that the District has paid too much for school sites; and if any proper way could be adopted to secure better results and to limit the payments for the school sites, I should be very glad to give my support to it. I assent to this action because I am at a loss to suggest a better method. I do hope, however, that those who handle the money, if they are held up, will refuse to purchase, even though there shall be some delay. In some sections of the District the prices charged have been extortionate, far beyond what was reasonable and right, far above the assessments which have been levied by the city; and I do hope that in future purchases there will be wiser discretion and better judgment used than have been exercised in the past.

The amendment was agreed to.

The next amendment was, on page 45, line 2, to increase the appropriation for rent of school buildings and grounds, storage and stock rooms, from \$12,000 to \$15,000.

The amendment was agreed to.

The next amendment was, under the heading "Metropolitan police, salaries," on page 46, line 19, after the name "District of Columbia," to strike out "including the present assistant property clerk of the police department, who shall be appointed a sergeant on the Metropolitan police force," so as to make the paragraph read:

For the pay and allowances of officers and members of the Metropolitan police force, in accordance with the act entitled "An act to fix the salaries of the Metropolitan police force, the United States park police force, and the fire department of the District of Columbia," \$2,720,570.

Mr. McKELLAR. Mr. President, I want to ask the Senator in charge of the bill the reason for striking out the provision beginning with line 19 on page 46.

Mr. PHIPPS. That is the item regarding which the Senator spoke to me. The assistant property clerk, as our committee is informed, performs no police duty. He does not make arrests. He does not take his life in his hands, so to speak, but keeps accounts. He is drawing a salary of \$1,500 a year. To name him as sergeant on the police force would give him an increase of \$900 a year, promoting him over men on the force who have served for years and whose ambition it is to be named as sergeants.



Mr. McKELLAR. I want to say to the Senator and to the Senate, in regard to this particular matter, that this follows a precedent which has already been established by the Congress. Take the case of the present chief of police, Mr. Hesse. He was chief clerk in the department and was promoted to assistant chief of the police force only last year, or year before last. This case is in exact consonance with that.

So far as this particular clerk is concerned, he is drawing the highest salary he can receive in the department. His salary can run to \$1,500 a year and no more. He has been in the service for 11 years, is an excellent officer, has made a fine record, is a fine accountant, and there is no reason why he should not be promoted. He is a man who had two sons in the late war; he is an excellent citizen in every respect and an excellent officer. I hope the Senator will be willing that the amendment of the committee may be disagreed to.

Mr. CURTIS. There is an additional objection—I did not suppose that was the only one—and that is the virtual naming of the present clerk. I would suggest to the Senator having the bill in charge that if the item be left in, it provide for an assistant clerk instead of naming the man who is there now, as the clause practically does.

Mr. McKELLAR. I would be perfectly willing to accept that amendment.

Mr. PHIPPS. Your committee had no testimony or evidence before it which would justify it in approving this item. Therefore the committee thought the wise thing to do was to strike it out, to take it to conference, and to give the House an opportunity to show what information it might have other than that disclosed in its hearings. We were unable to have the commissioner in charge of this department say that it was a wise move. He would not say that it was a wise and proper thing to do, and the committee was not approached by representatives of the police department in the interest of the item. We felt that under the circumstances the proper thing to do was to strike it out in the Senate and take it to conference for further consideration. I would not feel inclined to have the amendment rejected on the floor, because that would mean that the provision would be the law; but I am perfectly willing to give it all fair consideration in conference.

Mr. McKELLAR. If the Senator will accept the suggestion made by the Senator from Kansas it will have the same effect, because it would raise the whole question as to this man. But I want to call the Senator's attention and the committee's attention to the evidence, and the only evidence, on which this change was made. It was made upon the testimony of Commissioner Fenning, and Commissioner Fenning appeared before the committee, as appears on page 44 of the Senate hearings, to have this identical thing done in the case of another man. He presented a memorandum relating to the present chief clerk of the fire department, whom it was sought to have appointed a battalion chief of the fire department of the District of Columbia. Then Commissioner Fenning went on to say:

I want to say in that connection that that language was not put in by the commissioners. The commissioners had no knowledge of it. It was put in by the House. I should like to file a memorandum in support of its staying in the bill, however. This memorandum shows that the present chief clerk of the department has been in that position for a number of years; that he has been in the fire department since 1912; that his duties are principally to act as assistant to the chief engineer in the administrative work of the department.

Mr. PHIPPS. That refers to the fire department, not the police department.

Mr. McKELLAR. It is identically the same in principle. Here he is pleading, giving all the reasons for the case in the fire department which might be given for the case in the police department.

I also want to call the attention of the Senator and the Senate further to the fact that Mr. Fenning did not bring this particular matter up at all. This was what occurred:

Commissioner FENNING. \* \* \* It is the same language—to which I have raised no objection, although the commissioners had no part in its being in the bill—that appears on page 45 of the present bill with respect to an employee of the police department.

Senator KENDRICK. Is there not some opposition to that change?

Commissioner FENNING. Do you mean in the police department?

Senator KENDRICK. Yes; the change in rank, if you may call it that, of the assistant chief clerk. That is who it is, is it not?

Commissioner FENNING. The assistant property clerk, who is a civilian, on page 45 of the bill, which remained in the bill as it went through the House, but which was not put in at the suggestion of the commissioners. It is proposed that that man be appointed a sergeant of the Metropolitan police force.

Senator PHIPPS. What effect would that have on his compensation?

Commissioner FENNING. I think his present salary is something like \$1,680 (later corrected to \$1,500) as a clerk. A sergeant gets \$2,400, and is entitled to retirement at half pay, and is entitled to the general privileges of membership in the police department. That provision was put in by the House of Representatives. I am saying nothing for or against it.

Senator PHIPPS. But you should say something for or against it. That is what you are here for, to say whether or not that is a proper thing. Why should this man, who is a civilian employee and never in position to be called on to make an arrest or to perform the duties of a policeman, be designated as a sergeant of the police force? He is a clerk in the office.

Commissioner FENNING. I should be very glad to give my opinion on that subject, Senator PHIPPS.

Senator PHIPPS. Yes; that is what we want to know.

Commissioner FENNING. I did not do so out of courtesy to the House, which put it in. I presumed it was a matter that was being attended to here at the Capitol. I should say, as the commissioner in charge of the police department, that I see no reason why a person occupying such a position should be a member of the uniformed police force.

Senator KENDRICK. Would it not actually have an effect upon the morale of the police force?

Senator PHIPPS. It seems to me it would.

Commissioner FENNING. It might, very readily. It came as a surprise to the commissioners. I did not know it was going to be in the bill.

Senator PHIPPS. Does the same thing apply to the chief clerk in the fire department?

Commissioner FENNING. I do not think it does, for reasons which I will state.

It is exactly the same principle. Evidently the commissioner did not want to make that statement, but it seems that the Senator from Colorado rather urged him to give his opinion about it.

Here is a chief of police who was promoted in exactly the same way. He makes no recommendation about it. But the commissioner, at the urgent solicitation of the Senator from Colorado, did make the statement I have read. It seems to me it is reasonable and proper that this promotion should be made, and I hope the Senator will agree that the amendment may not be agreed to.

Mr. PHIPPS. Mr. President, in the case to which the Senator has referred, of this assistant property clerk, the committee was not approached by anyone to advocate the case. He has read the testimony and the only testimony we had that is printed.

Mr. McKELLAR. That is all I can find.

Mr. PHIPPS. In the case of the fire department, the fire chief came to me personally, hearing about this after the hearings had closed, and most strongly recommended the designating of their man as a fire marshal, giving as his reasons the fact that the man must respond to fire alarms after the first call; that he must remain on duty; must go and give orders when the chief is not there; and when the department has all been ordered out he must go to the place of the fire and confer with the chief, and take his orders in person there. So that that man is in actual control of the fire-engine employees when they are on duty, and must direct their going to fires.

Mr. McKELLAR. The same principle applies to this man.

Mr. PHIPPS. I do not think the Senator should ask that the item be restored. I think he should be satisfied with the statement that the conferees will be willing to give this matter every fair consideration in conference.

Mr. McKELLAR. That is a part of it, but I want to go a little further and ask the Senator, in order that it may remain in conference, to accept the suggestion made by the Senator from Kansas, which would put it in, in reality, because under the amendment of the Senator from Kansas the appointment of this particular man would not be required at all. I ask the Senator to let that be agreed to.

Mr. PHIPPS. It would make the assistant property clerk, whoever he may be, a sergeant.

Mr. McKELLAR. It would be on exactly the same grounds the Senator has given in the case of the fire chief.

Mr. PHIPPS. I can not see the necessity for paying an assistant property clerk \$2,400 a year. I would not do it in my own business, and I do not believe the Senator would do it in his business.

Mr. McKELLAR. If he were a competent and efficient man, I would give him a reasonable salary, and I would just as soon do it this way as in any other way. I think this is the better way, and I think this man is a good and competent man.

Mr. PHIPPS. He may be; that we are perfectly willing to find out; but we had no backing up of this recommendation from anyone representing the police department. Chief Hesse did not come. He has made no communication on the subject.



Mr. McKELLAR. Of course, it is very natural that the chief did not come. He was probably satisfied with it. He had been along exactly the same route before, and it is very natural to assume that he was entirely satisfied with it. I hope the Senator will let it go in.

Mr. PHIPPS. I want again to call the Senator's attention to the statement of Commissioner Fenning in the report of the testimony that the commissioners did not recommend or put either of those items in the bill.

Mr. McKELLAR. That is true; but whenever we get to legislating solely and alone in accordance with what the commissioners recommend there will be no use for the Congress at all; we might just as well turn it all over to them.

Mr. PHIPPS. Not at all; I do not agree with the Senator on that point. But I do say that when the bill goes to conference we shall give very full consideration to the proposition.

Mr. McKELLAR. I will ask the Senator this—

Mr. PHIPPS. I do not think the amendment suggested by the Senator from Kansas should be substituted, because I do not believe it would give the Senate conferees a full chance to thrash it out with the conferees on the part of the House.

Mr. McKELLAR. I will ask this: Of course, the Senator from Colorado will be on the conference committee. Would he object to my coming before the committee when the matter is before it?

Mr. PHIPPS. If the House conferees do not object, certainly not. Of course, the Senator knows the rules we usually try to observe with reference to conferences.

Mr. McKELLAR. I am quite sure the House conferees will not object, and I would like very much to appear there with a statement of all the facts, so that the matter can be thrashed out.

Mr. PHIPPS. I will be obliged to the Senator if he will produce a statement of the facts, because I confess that no such statement was presented to the committee.

Mr. McKELLAR. I thank the Senator very much, and will be glad to let it take that course.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 48, line 8, after the numerals "1928," to strike out the colon and the following proviso: "Provided, That the purchase price of the site shall not exceed the full value assessment last made before purchase thereof plus 25 per cent thereof," so as to read:

For the purchase of a site and the erection of a building to be known as the fourteenth police precinct station house to replace the subpolice station at Tenleytown, D. C., \$80,000, to be available immediately and to remain available until July 1, 1928.

The amendment was agreed to.

The next amendment was, under the heading "Fire department, miscellaneous," on page 50, line 12, after the word "items," to strike out "cost of installation and maintenance of telephones in the residences of the superintendent of machinery and the fire marshal," so as to make the paragraph read:

For contingent expenses, horseshoeing, furniture, fixtures, oil, medical and stable supplies, harness, blacksmithing, gas and electric lighting, flags and balyards, and other necessary items, \$30,000.

The amendment was agreed to.

The next amendment was, on page 50, after line 17, to insert:

For traveling and other expenses of a committee to be appointed by the Commissioners of the District of Columbia to consider and report upon the installation of a high-pressure water system in the congested high-value section of the District of Columbia, \$3,000.

The amendment was agreed to.

The next amendment was, on page 51, line 14, after the numerals "1928," to strike out the following proviso: "Provided, That the purchase price of the site shall not exceed the full-value assessment last made before purchase thereof plus 25 per cent thereof," so as to read:

For house, site, furniture, and furnishings for an engine company to be located in the vicinity of Sixteenth Street and Piney Branch Road NW., including the cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$92,525, to be available immediately and to remain available until July 1, 1928.

The amendment was agreed to.

The next amendment was, under the subhead "Police court," on page 58, at the end of line 6, to strike out "\$84,270" and insert "\$84,570," so as to read:

Salaries: For personal services in accordance with the classification act of 1923, including \$300 additional for presiding judge, \$84,570.

The amendment was agreed to.

The next amendment was, on page 62, line 11, after the word "law," to insert "and expenses of commitments to the District Training School," so as to make the paragraph read:

For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to St. Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, including personal services, \$8,000.

The amendment was agreed to.

The next amendment was, at the top of page 33, to strike out the heading "Charities and Corrections" and insert "Public Welfare," and, in line 3, to strike out "Board of Charities" and insert "Board of Public Welfare."

The amendment was agreed to.

The next amendment was, on page 63, line 5, to increase the appropriation for personal services, Board of Public Welfare, in accordance with the classification act of 1923, from \$32,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 5, to insert:

#### DIVISION OF CHILD WELFARE

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses, \$5,000; and no part of the moneys herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said board, and that said board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

For maintenance of feeble-minded children (white and colored), \$37,500.

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$1,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the board, \$120,000.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

The amendment was agreed to.

The next amendment was, under the subhead "National Training School for Boys," on page 66, line 19, before the word "with," to strike out "Charities" and insert "Public Welfare," so as to read:

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, \$46,000.

The amendment was agreed to.

The next amendment was, under the subhead "Medical charities," on page 67, at the end of line 15, to strike out "Charities" and insert "Public Welfare," so as to read:

For care and treatment of indigent patients under contracts to be made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively:

The amendment was agreed to.

The next amendment was, on page 67, at the end of line 26, to reduce the appropriation for care and treatment of indigent patients, Washington Home for Incurables, from \$10,000 to \$5,000.

Mr. PITTMAN. Mr. President, I am very much interested in the amendment just stated. I observe that the amount provided for by the House was \$10,000 and that the Senate committee proposes to cut it down to \$5,000.

I had occasion to visit this institution several weeks ago. I went all through it. I examined the whole plant. I think I saw every patient in the institution. I think it is one of the most deserving charities in Washington. It is a home for incurables. There is no one there who is an addict to the use of alcohol or drugs, or anything of that kind. It is a home for paralytics, a home for those who suffer from cancer and who have been diagnosed as incurable. They have taken into that



institution some of the most pitiful cases I have ever seen. It is a difficult charity. It is a difficult kind of patient to attend to. The testimony of Mrs. Hopkins is set out at page 931 of the hearings before the House committee. I do not know whether the members of the Senate committee read those hearings or not.

The institution has 90 patients. It costs \$15,000 a year to look after those 90 patients. They have one of the most magnificent homes in Washington, a very large building comfortably arranged for those paralytics and others who suffer in a similar way. There is no aid asked of the Government at all in the way of paying interest on depreciation or rent, or any charge for this enormous building that has been put up by some of the people in this town to look after a peculiar character of patients. In most hospitals the patient goes in and comes out either dead or alive in a short time. This institution must be maintained during the life of the patient. It has been in existence since 1904, due largely to the charity of Mrs. Hopkins and some other ladies in Washington.

The actual cost to those ladies who have undertaken this charity is \$15,000 a year, without considering the investment in that large building or interest on their money or depreciation. It certainly seems to me, considering the character of the institution, that they should be helped to take care of it. It would be a calamity, indeed, for those 90 patients there, old women who are poverty stricken, paralytics who can not move but who must stay there until they die, if through any chance the home should become bankrupt or should be abandoned.

It seems to me in a case of this kind the least the Congress of the United States could do on behalf of the people of the District is to give them a modest aid in the sum of \$10,000 a year toward the support of those 90 patients, when nothing is asked for this enormous, fine plant. Even such an amount will not care for more than two-thirds of the actual outlay for food and care. I hope the Senate will not reduce that amount in that way.

Mr. PHIPPS. The committee found that for the current fiscal year the amount set aside for the institution was \$5,000. The \$10,000 was, of course, an increase. Up to March 31, inclusive, out of the \$5,000 for this year's allowance \$3,743 had been spent. The rate per week is not only moderate but it is entirely too low, in my judgment. From a report of the institution which I asked for when I was solicited to do something or other in the way of extending some personal aid, I was very much disappointed to find that the work was being carried on upon such an expensive plant; that is to say, the comparison of overhead with the number of patients cared for.

It is a new home, as I understand it, on Wisconsin Avenue, which is a fine piece of property and a substantial appearing building. I have not as yet had an opportunity to visit it, but I have examined the report for the latest year it was available, and it seemed to me that the overhead was entirely too large for the number of people cared for and that the total cost per patient per year was greater than it should be. I do not see how the institution can make the rate it does to the city for the care of patients that it takes over at the instance of the Board of Public Welfare.

I will say to the Senator that there is not only this case but two or three other hospitals where the House has made changes, departing from this year's allowance and the Budget estimate, which we have changed. In the two items immediately following we have made a change, one for the Georgetown University Hospital, an increase of \$3,000 over last year made by the House, which we put back to this year's figure, and the George Washington University Hospital we treated in the same way. If we had the additional patients to be cared for and needed the additional money for that purpose, it would be a different proposition. The rate, as I said, is abnormally low, but from the experience of the past it does not seem necessary to increase the amount over the present fiscal year's allowance of \$5,000.

Mr. PITTMAN. Here is what Mrs. Hopkins said.

Mr. PHIPPS. May I inquire to what page the Senator is referring?

Mr. PITTMAN. Page 931 of the House Committee hearings. This is what she said:

Then, we have patients from six foreign countries, or from seven foreign countries, if you call Canada a foreign country, as follows: Canada, Germany, England, Ireland, Hungary, and Russia. There is a total of 144 people in the home. Fifty-three of them are salaried. There are 90 patients, 4 on the staff, 22 nurses, 4 orderlies, 24 servants, and 3 engineers. As I said, there are 53 salaries paid. To feed, warm, light, and nurse these patients costs us about \$5,000 per month. We fed them from November 1, 1924, to November 1, 1925, for 38 cents per diem per capita. I do not think that any of you did better than that in your own homes. For everything, all

the expenses, including the \$25,000 for salaries, and many other items, the cost was \$1.20 per diem per capita. There is no income or charge for the building; \$1.20 per day for 35 free patients means \$42 per day, and for the year it would amount to \$15,330. Congress gives us \$5,000. Therefore, we have a yearly deficit of \$10,330. I came up to see Mr. MADDEN the other day, and he asked me what I wanted. I told him I wanted two things. I told him that one of the things I wanted was \$10,000. Then one of my committee told me what an awful blunder I had made, because our deficit is more than \$10,000. There is a difference of \$10,330. I said that another thing I wanted was to get whatever we received direct. You give that to us through the Board of Charities, and they never give us the full appropriation. One year they took off \$600 and covered it back into the Treasury. Of course, that makes them look very well indeed from the standpoint of economy, but you do not know how they pinch it out of us.

The Board of Charities makes a deduction of a few dollars, two or three dollars, whenever a woman or a man is gone, and that is not fair. I think that when you give me \$5,000 you mean that we should have it. We need it for the expenses of the household. The room that has been occupied must be kept up. The room must be kept until the patient comes back. In looking back over the report for 35 years, we find that we have always had difficulty with the Board of Charities. There is always some delay. It is always one month late and frequently it is three months late. Now, why can we not have that money direct?

There is the situation. If they were here asking that the Government of the United States support the charity, then the question as to whether or not the overhead could be reduced would be a very material consideration for Congress. But they are not doing that. They have a plant out there that probably cost \$300,000 or \$400,000. It is not like a hospital. The rooms are not little rooms with a cot in each one. They are great big airy rooms out in the woods. Those incurables are not looked after like the ordinary patient who has a broken leg or something of that sort, where the nurse comes in once or twice a day to take his temperature.

These patients are in a condition where they require constant nursing morning, noon, and night. Most of them are helpless. Part of them can not move any more than a finger. There must be a lot of nursing for that kind of people. They have to have good air. They are there until they die. Some of them have been there for 30 years slowly dying and wholly helpless.

It can not be compared to another kind of hospital. There is not any better charity anywhere than is displayed in the care of these old men and women who are poverty-stricken, without relatives, absolutely helpless, many of whom can not move themselves at all, but have to be turned by a nurse, some of whom have to be lifted up in regular trusses and moved around in that way. Of course they have to have 22 nurses for those 90 patients. As a matter of fact, if it were possible, each one of them should have a nurse night and day.

These people are doing the very best they can. They could cut the building in two and make four rooms out of what is now one room and have one window where they now have two windows. They could cut down expenses for these 90 old men and women who are helpless, but whose minds are just as keen to-day as ever. They could cut down to \$5,000 a year; but when the women in charge of the institution are contributing the interest on an investment of between \$300,000 and \$500,000 and are taking care of the overhead over and above the \$10,000, it seems to me that it is a hard thing, to say the least, to talk about overhead expenses.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. PITTMAN. Certainly.

Mr. McKELLAR. As to the cost of it, I call the attention of the Senate to Mrs. Hopkins's statement, as follows:

Mrs. HOPKINS. Yes, sir; and we raised the money for it ourselves. I am glad that other people get assistance. I understand that when Providence Hospital was built they were given \$200,000; but we raised this money. We raised every penny of it ourselves. The cost of the new building and grounds was \$516,610.27; the cost of the new equipment was \$16,038.31; the balance left on hand was \$193, making a total of \$532,841.58.

It seems to me that the Senator from Nevada [Mr. PITTMAN] is exactly right. If the Congress makes any mistake in the world, it ought to be made on the side of these poor, helpless, defenseless people. I hope the chairman of the committee will agree to let the amendment be rejected, as has been suggested by the Senator from Nevada.

Mr. PITTMAN. I do not know what the value of the building is because I did not see the testimony, but I do know that it is a magnificent building, and I estimated roughly its value as being between \$300,000 and half a million dollars. I think



the members of the committee ought to go out and look at that building and acquaint themselves with the work being done there. As I said before, it is not like the emergency hospital; it is not a "joint" into which they throw somebody into as narrow a place as can be done with as little care as possible. Those who erected that building erected it in order to try to make as comfortable as possible the poor helpless people who possibly have to spend 30 or 40 years or the remainder of their lives without moving. They are not asking for very much help; they are not asking for any interest on the half million dollars invested; they are not asking for any rent; they are not even asking for the total amount of actual expenses incurred; they are asking for but \$10,000, when the actual cost of feeding these people is about \$15,000. I repeat, I wish members of the committee could have gone out and looked at the building as I did.

Mr. PHIPPS. Mr. President, the committee based its conclusion in this case upon the best evidence that it could readily obtain. It had the House hearings. It did not call a representative of the institution to appear before it. I have given the Senate my personal statement as to the matter. I asked for a report of their proceedings and as to what they were doing, because I have been personally solicited in reference to the matter. As the Senator from Tennessee [Mr. McKellar] has stated, there has been an investment of about \$566,000; the report which I had showed an investment of \$531,000, but it also showed that out of the annual appropriation of \$5,000 they had only used \$4,300.

They fix the per diem at a weekly rate for the patients there. I am perfectly willing to admit that it is too low. If they can feed the patients for 38 cents a day, they are not giving them as much good food as perhaps they should.

Mr. PITTMAN. I agree with the Senator as to that.

Mr. PHIPPS. Perhaps the patients do not need very much and that may be the reason why the per diem rate is fixed as it is. However, as it is recommended so strongly, I shall not offer any objection to the amendment being voted down.

The VICE PRESIDENT. Without objection, the amendment is rejected.

Mr. PITTMAN. I thank the Senator.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 68, at the end of line 1, to reduce the appropriation for care and treatment of indigent patients, Georgetown University Hospital, from \$8,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 68, at the end of line 2, to reduce the appropriation for care and treatment of indigent patients, George Washington University Hospital, from \$8,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 68, line 21, to strike out the heading "Gallinger Municipal Hospital" and insert "Gallinger Municipal Hospital."

The amendment was agreed to.

The next amendment was, commencing at the top of page 70, to strike out:

#### CHILD CARING INSTITUTIONS

##### BOARD OF CHILDREN'S GUARDIANS

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses, \$5,000; and no part of the moneys herein appropriated shall be used for the purpose of visiting any ward of the Board of Children's Guardians placed outside the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said board, and that said board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

Salaries: For personal services in accordance with the classification act of 1923, \$53,080.

For maintenance of feeble-minded children (white and colored), \$37,500.

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$1,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the board, \$120,000.

The disbursing officer of the District of Columbia is authorized to advance to the agent of the Board of Children's Guardians, upon requisitions previously approved by the auditor of the District of

Columbia and upon such security as may be required of said agent by the commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

The amendment was agreed to.

The next amendment was, on page 73, line 22, to strike out the heading "Miscellaneous."

The amendment was agreed to.

The next amendment was, under the subhead "Florence Crittenton Home," on page 74, line 15, after the words "Board of," to strike out "Charities" and insert "Public Welfare," so as to read:

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, \$4,000.

The amendment was agreed to.

The next amendment was, under the subhead "Southern Relief Society," on page 74, line 21, after the word "of" to strike out "Charities, \$10,000" and insert "Public Welfare, \$5,000," so as to read:

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, \$5,000.

Mr. GLASS. Mr. President, with respect to this item were I to consult my own feeling I would not have a word to say, but being a member of the Senate Appropriations Committee and also of the Committee on the District of Columbia I was relied on by the worthy people who desire this money for the purpose indicated to look after the item. I was not present at the meeting of the committee at which the sum proposed to be appropriated by the House of Representatives was reduced by the Senate committee. It is a trivial amount, and for the last 10 years, with the exception of two years, it invariably has been \$10,000. Evidently the House thought it ought to continue at \$10,000, and I hope the Senate may reject the proposed committee amendment.

Mr. PHIPPS. Mr. President, the Senate committee was following the suggestion of the Budget Bureau, which had approved an appropriation of \$5,000; but this is also a charitable institution, and I shall not object to having the amendment rejected.

The VICE PRESIDENT. Without objection, the amendment is rejected.

Mr. PHIPPS. Mr. President, on page 74 I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 74, line 21, it is proposed to strike out the word "Charities" and to insert in lieu thereof the words "Public Welfare."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 74, after line 22, to strike out:

#### NATIONAL LIBRARY FOR THE BLIND

For aid and support of the National Library for the Blind, located at 1800 D Street NW., to be expended under the direction of the Commissioners of the District of Columbia, \$5,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 2, to strike out:

#### COLUMBIA POLYTECHNIC INSTITUTE

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, \$1,500.

And in lieu thereof to insert:

#### NATIONAL LIBRARY FOR THE BLIND AND COLUMBIA POLYTECHNIC INSTITUTE

For aid and support of the National Library for the Blind and the Columbia Polytechnic Institute, to be expended under the direction of the Commissioners of the District of Columbia, \$6,500.

The amendment was agreed to.

The next amendment was, under the subhead "St. Elizabeths Hospital, nonresident insane," on page 76, at the beginning of line 1, to strike out "secretary of the Board of Charities" and



insert "director of public welfare," and in line 4, after the word "said," to strike out "secretary" and insert "director," so as to make the paragraph read:

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the commissioners may require of said director, sums of money not exceeding \$300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Relief of the poor," on page 76, line 12, after the word "of," to strike out "Charities" and insert "Public Welfare," so as to read:

For relief of the poor, including pay of physicians to the poor, to be expended under the direction of the Board of Public Welfare, \$8,000.

The amendment was agreed to.

The next amendment was, under the heading "Anacostia River and Flats," on page 78, line 18, after the word "amount," to strike out "not more than \$25,000 shall be available immediately and remain available until July 1, 1928, for the purchase of necessary land above Benning Bridge: *Provided*, That the purchase price of any site or sites acquired hereunder shall not exceed the full value assessment last made before purchase thereof plus 25 per cent of such assessed value," and insert "\$145,000 shall be available for expenditure below Benning Bridge, and not more than \$25,000 may be expended above Benning Bridge in the acquirement of necessary land," so as to make the paragraph read:

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document No. 37, Sixty-eighth Congress, first session, \$170,000, of which amount \$145,000 shall be available for expenditure below Benning Bridge, and not more than \$25,000 may be expended above Benning Bridge in the acquirement of necessary land.

The amendment was agreed to.

The next amendment was, under the heading "National Capital Park Commission," on page 81, line 13, after the word "expended," to strike out the colon and the following proviso:

*Provided*, That the purchase price to be paid for any site shall not exceed the full-value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value.

The amendment was agreed to.

The next amendment was, under the heading "National Zoological Park," on page 82, after line 5, to insert:

For the construction of public exhibition building for birds, \$49,000: *Provided*, That the Commissioners of the District of Columbia are authorized to enter into contract or contracts for the completion of said building in accordance with plans and specifications approved by the regents of the Smithsonian Institution, at a cost not to exceed \$102,000.

The amendment was agreed to.

The next amendment was, under the heading "Water service," on page 83, line 9, after the word "department," to insert "to the full amount of these revenues, and any deficit therein is hereby appropriated for out of the combined revenues of the District of Columbia," so as to read:

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses of water department to the full amount of these revenues, and any deficit therein is hereby appropriated for out of the combined revenues of the District of Columbia, namely:

The amendment was agreed to.

The next amendment was, on page 85, line 7, before the word "respectively," to strike out "\$3" and insert "\$1.50," so as to make the paragraph read:

The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled "An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes," approved April 22, 1904, are hereby increased from \$1.25 to \$2 and \$1 to \$1.50, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1927.

The amendment was agreed to.

The next amendment was, on page 85, after line 9, to strike out:

The Commissioners of the District of Columbia are directed to increase the scale of water rents in effect in the District of Columbia by

not less than 25 per cent per annum for the fiscal year ending June 30, 1927: *Provided*, That such increase shall remain in effect until otherwise provided by law.

The amendment was agreed to.

The next amendment was, on page 85, after line 22, to strike out:

For traveling and other expenses of a committee to be appointed by the Commissioners of the District of Columbia to consider and report upon the installation of a high-pressure water system in the congested high value section of the District of Columbia, \$3,000.

The amendment was agreed to.

The next amendment was, on page 86, line 17, after the word "reservoir," to strike out "embracing lots 1 to 9, inclusive, square 1762; 9 to 16, inclusive, square 1763; 25 to 32, inclusive, square 1766; 19 to 27, inclusive, square 1845, \$25,000, and the commissioners are hereby authorized to close all highways abutting on any or all of the above-mentioned lots: *Provided*, That the purchase price of the site shall not exceed the latest full value assessment thereof plus 25 per cent," and insert "\$50,000, and the commissioners are hereby authorized to close, where necessary, all highways that may interfere with the development of the proposed project," so as to make the paragraph read:

For purchase or condemnation of site for new third high service reservoir, \$50,000, and the commissioners are hereby authorized to close, where necessary, all highways that may interfere with the development of the proposed project.

The amendment was agreed to.

The next amendment was, on page 87, line 19, after the numerals "1927," to strike out the colon and the following additional proviso:

*Provided further*, That no person shall be employed in pursuance of the authority contained in this section for a longer period than six months in the aggregate.

The amendment was agreed to.

The next amendment was, on page 90, after line 19, to insert:

That any person employed under any of the provisions of this act who has been employed for 10 consecutive months or more, shall not be denied the leave of absence with pay for which the law provides: *Provided*, That estimates of appropriations for the District of Columbia shall include provision for those positions which have been filled continuously for 12 consecutive months or more as regular and not temporary employments, if, in the judgment of the commissioners, such employments will be filled throughout the fiscal year for which the estimates are submitted.

The amendment was agreed to.

The reading of the bill was concluded.

MR. PHIPPS. Mr. President, the committee has authorized me to present several amendments. I send them to the desk and ask that they may be considered in their order.

THE VICE PRESIDENT. The first amendment offered by the Senator from Colorado on behalf of the committee will be stated.

THE CHIEF CLERK. On page 2, line 8, after the word "appropriated," it is proposed to insert "to be advanced July 1, 1926."

THE VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

THE VICE PRESIDENT. The next amendment offered by the Senator from Colorado will be stated.

THE CHIEF CLERK. On page 26, after line 13, it is proposed to insert a new paragraph, as follows:

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

The amendment was agreed to.

THE VICE PRESIDENT. The next amendment offered by the Senator from Colorado will be stated.

THE CHIEF CLERK. On page 32, line 25, after the numerals "\$750,000," it is proposed to insert:

*Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of 87½ per cent of rates heretofore established by law, and rates established by the commissioners in accordance with law, and payment for electric current



for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

Mr. McKELLAR. I inquire what will be the effect of that amendment, Mr. President.

Mr. PHIPPS. Mr. President, the reason for that amendment is this: Some years ago the rates to be paid by the city for electric lighting of the streets were fixed by law. Of course, they were based on the candlepower capacity of the various lamps. At that time the consumption of electricity, we will say, of a 40-candlepower lamp, was greater than the consumption is to-day with the newer methods and new lamps having a different filament, of tungsten or other element, that is used instead of the old wire. In the meantime the citizens, by award of the court, have been given a rebate on the rates which they were paying for electricity, and we felt that a reduction of 12½ per cent at this time in current rates was none too much to ask for. Following that, we are asking the legislative committee on the District of Columbia to take cognizance of the present rates, and, if the rates are to be fixed by legislation, then let us have a readjustment of the present rates.

Mr. McKELLAR. The amendment means a reduction for the city?

Mr. PHIPPS. It means a reduction for the city. Of course, the city has had a reduction in the lamps in use in its buildings, those that are under meter service, the same as have the citizens, but the street lights are on a flat basis.

Mr. McKELLAR. The amendment puts them on the same basis?

Mr. PHIPPS. It does not put them on exactly the same basis, but it makes the rates more comparable.

Mr. McKELLAR. At all events, it is a reduction?

Mr. PHIPPS. It is a reduction of 12½ per cent.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment offered by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 40, after line 8, it is proposed to insert a new paragraph, as follows:

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment offered by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 49, line 16, it is proposed to strike out "Columbia, \$1,825,430," and in lieu thereof to insert: Columbia," including the present chief clerk of the fire department, who shall be appointed a battalion chief engineer in the fire department of the District of Columbia and shall act as ex officio chief clerk, \$1,828,680.

Mr. McKELLAR. That is the matter to which we referred a while ago?

Mr. PHIPPS. That relates to the question which was discussed a few moments ago. We desire to take the amendment to conference to inquire into it assiduously as we will into the others.

Mr. McKELLAR. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment offered by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 49, line 18, it is proposed to strike out "\$7,080," and insert in lieu thereof "\$3,780."

The amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 80, line 16, after the numerals "\$15,000," it is proposed to insert the following:

Provided further, That not to exceed \$5,000 may be expended by contract or otherwise for architectural or other professional services without reference to the classification act of 1923 or civil-service rules, as approved by the director, in the development of Meridian Hill Park.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from Colorado will be stated.

The CHIEF CLERK. On page 92, after line 4, it is proposed to insert as a separate paragraph the following:

SEC. 7. That in disbursing funds appropriated for the expenses of the government of the District of Columbia the commissioners of said Dis-

trict shall require such form of receipt as evidence of payment as may be deemed sufficient in the opinion of the corporation counsel of said District to give full legal acquittance to the District of Columbia.

The amendment was agreed to.

Mr. PHIPPS. That completes the committee amendments.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. COPELAND. Mr. President, may I ask the Senator from Colorado if there is any more money appropriated this year for medical school inspection than last year?

Mr. PHIPPS. My recollection is that there is an increase, and that we accepted the House action with reference to it; but I will inform the Senator in just a moment.

I find that the increase amounts to only \$2,800.

Mr. COPELAND. On what page is it?

Mr. PHIPPS. That is on page 54, line 9.

Mr. COPELAND. Is the appropriation stated here the same as that of last year?

Mr. PHIPPS. No; there is an increase of \$2,800. Last year it was \$63,000.

Mr. SMOOT. The wording, however, is exactly the same.

Mr. PHIPPS. The wording is identical.

Mr. COPELAND. Does the Senator think that is the best that can be done this year?

Mr. PHIPPS. I think it is. There is no Budget estimate for any larger amount.

Mr. COPELAND. I never want the Senator from Utah to be against any matter of this sort—

Mr. PHIPPS. He never is unless he is right.

Mr. COPELAND. But my feeling about it is that we ought to be more liberal in the appropriations for the prevention of disease. There are certain mandatory things that we must do when we have the hospitals and the insane and the feeble-minded—

Mr. SMOOT. That is why we gave the increase.

Mr. COPELAND. But the money that is used in this way means the prevention of disease, and it means that there will be fewer appropriations and less money appropriations in the future for these institutions which are mandatory.

Mr. SMOOT. Never less, but in a better way.

Mr. PHIPPS. Never less. I wish to say to the Senator from New York that the committee did discuss this question of hygiene in the schools, and dwelt particularly—at least, I did—upon the importance of having the children's eyes examined. That to my mind is really more important and more necessary than to see that they brush their teeth every day.

Mr. COPELAND. Will the Senator assure me that the committee has gone just as far as it can go this year?

Mr. PHIPPS. It is unfortunately not possible for the committee to go any further this year.

Mr. COPELAND. I hope that next year the committee may take another step, because I have no doubt that appropriations of this sort make for the prevention of appropriations in the future.

Mr. PHIPPS. I agree with the Senator.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### AMENDMENT OF TRADING WITH THE ENEMY ACT

The VICE PRESIDENT laid before the Senate the message from the House of Representatives, returning to the Senate, in compliance with its request, the message from the Senate announcing its agreement to the conference report on the bill (S. 1226) to amend the trading with the enemy act.

Mr. BINGHAM. Mr. President, I ask unanimous consent that the vote whereby the Senate agreed to the conference report be reconsidered.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. BINGHAM. I now ask unanimous consent that the report be recommitted to the conference committee.

The VICE PRESIDENT. Without objection, it will be so ordered.

#### PUBLIC BUILDINGS

Mr. FERNALD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 6559, for the construction of certain public buildings, and for other purposes.

Mr. McKELLAR. I will ask the Senator if he intends to proceed with the bill this afternoon.

Mr. FERNALD. No; not to-night.

Mr. CURTIS. It is merely desired to lay it before the Senate?

Mr. FERNALD. Merely to lay it before the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MOSES. Mr. President, the Senator does not intend to go on with the bill to-night?

Mr. FERNALD. No; not to-night.

Mr. MOSES. I desire to know from the chairman of the committee just exactly what he proposes. The unfinished business before the Senate is the Italian debt settlement.

Mr. FERNALD. It is not desired to make this bill the unfinished business.

Mr. MOSES. Then what is the request?

Mr. FERNALD. Just to lay the bill before the Senate for consideration.

Mr. MOSES. In other words, the Senator asks unanimous consent to lay aside the unfinished business temporarily for the purpose of taking up this bill?

Mr. SMOOT. It has been temporarily laid aside.

Mr. FERNALD. It has already been laid aside.

Mr. CURTIS. As I understand, the Senator desires to have the bill laid before the Senate to-night, so that there will be notice to the Senate that he will ask to go on with it to-morrow in case no Senator desires to discuss the Italian debt settlement.

Mr. MOSES. And the purpose is to take a recess to-night?

Mr. CURTIS. Yes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Maine?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6559) for the construction of certain public buildings, and for other purposes, which had been reported from the Committee on Public Buildings and Grounds with amendments.

SPECIAL ASSISTANT CLERK TO INTERSTATE COMMERCE COMMITTEE

Mr. GOODING. Mr. President, I ask unanimous consent for the consideration of Senate Resolution 124, Order of Business 407, authorizing the Committee on Interstate Commerce to employ a special assistant clerk.

Mr. CURTIS and Mr. SMOOT. Let it be read.

The VICE PRESIDENT. The resolution will be read.

Mr. GOODING. I will state that there is an amendment to the resolution.

The CHIEF CLERK. The committee proposes to strike out all after the resolving clause and to insert:

That the Committee on Interstate Commerce of the Senate is hereby authorized to employ a special clerk during the remainder of the Sixty-ninth Congress, who shall be a rate expert, skilled in matters relating to railroad transportation, and shall be paid out of the contingent fund of the Senate at the rate of \$7,000 per annum.

Mr. GOODING. Mr. President, the Committee on Interstate Commerce now asks that that amendment be rejected, and that the chairman of the committee be allowed to employ a special clerk at \$2,500 per annum.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MOSES. May we have the original resolution read? Is the employment to be for the rest of the Sixty-ninth Congress or permanently?

The VICE PRESIDENT. The original resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Committee on Interstate Commerce of the Senate hereby is authorized to employ a special assistant clerk during the remainder of the Sixty-ninth Congress, to be paid out of the contingent fund of the Senate at the rate of \$2,500 per annum.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

ADDRESS BY HON. ROBERT L. OWEN ON CAUSES OF THE WORLD WAR

Mr. COPELAND. Mr. President, I hold in my hand an informative, illuminating, and interesting address by a former Member of this body, ex-Senator Robert L. Owen. I ask unanimous consent that it may be printed in the Record.

The VICE PRESIDENT. Without objection, it will be so ordered.

The address is as follows:

An address by Hon. Robert L. Owen at Copley-Plaza, Boston, March 27, 1926, before the Foreign Policy Association relative to the more recent evidences as to the causes of the World War, Manley O. Hudson, professor of international law, Harvard Law School, presiding

Ladies and gentlemen, the presence here to-day of so many professors of history and of law and of so many others known to be scholars and learned in recent history gives me special satisfaction and courage, as it will afford you the chance of challenging any historical fact of which you may have doubt and give me the coveted opportunity of reply.

When the United States entered the World War in 1917 it was on the ground that the Imperial Government of Germany had persisted in making war on the United States. The officials of Great Britain and France by skillful publicity had persuaded the public opinion of America that the German people were dominated by an imperial military machine, had long prepared for war, had suddenly launched the war with the intention of first conquering Europe and then dictating to the United States and to the world, and that the success of the German military dynasty meant a grave danger to all democratic governments.

The vast disclosures of dependable official evidence since the war and the many recent works of historians (a portion of which is in a printed list before you—"Exhibit A") have gradually made a change in the opinions of informed men throughout the world. Whatever the causes of the World War, the fall of the military dynasties of the Romanoffs, Hohenzollerns, and Hapsburgs, etc., has advanced the cause of democratic governments and given a fairer prospect of world peace and prosperity. We must know the causes in order to prevent like causes bringing about a recurrence of war.

The causes of the World War may be said now to be thoroughly well understood and known by the scholars of the world. They are not so well known to the great mass of mankind, who have been misled by propaganda and are now kept in the dark by the silence of the press, which for stupid consistency's sake seems averse to giving full publicity to newly discovered truth.

The soil in which this monstrous war was born was excess nationalism (chauvinism) diligently taught by self-serving leaders, who thus sought to demonstrate their own patriotism and right of leadership. The vanity and patriotism of the mass of the population led them to the acceptance of such false doctrines.

Chauvinism led to militarism. It established the theory of "preparedness for war," and nearly all the leaders of Europe advocated preparing for war to the extent of their taxing capacity. They thus engendered fear of each other and pride of conquest. Commercialism and militarism gave birth to imperialism. The British leaders had extended the British Empire by conquest to every part of the world. Other nations followed suit, and imperialism became the order of the day. The German leaders were somewhat slow in demanding their "place in the sun," but finally demanded it and energetically began the building of a great navy. They thus excited the fear of leading British statesmen as dangerous competitors on the sea and in commerce and disturbed French ambitions to rule northern Africa. Germany supporting Turkey was in Russia's way on the Dardanelles and in the Balkans.

Out of chauvinism, militarism, imperialism, out of the desire for commercial expansion, out of ambition, fear, and vanity, grew the intrigues which led gradually to the planning and execution of the Great War, through secret diplomacy and a subsidized press.

In speaking to this audience one may be sure that they are more or less familiar with the evidence.

On December 18, 1923, I submitted to the United States Senate certain evidence, with exhibits and references, in which abundant proof appears. Recent evidence fully confirms the truth of what was then presented. (See CONGRESSIONAL RECORD.)

The most important of all these official secret records is *Un Livre Noir* (Rene Marchand) and *Entente Diplomacy and the World* (DeSiebert). These two books contain nearly 2,000 secret dispatches passing between the Russian Foreign Office between Sazonoff and his associates and the Russian ambassador at Paris, Izvolski, and the Russian ambassador, Benckendorf, at London. These records disclose the secret diplomacy of the officials in charge of the Foreign Offices of Russia, France, and Great Britain, and these dispatches clearly demonstrate that the officials in charge of the Russian Foreign Office had definitely made up their minds that Russia could only carry out what they called Russia's "historic mission" by a general European war.

Russia's historic mission, according to their view, was the control of the Dardanelles and free access to the Mediterranean (a reasonable aspiration), hegemony of the Balkan States, etc.

The Russian statesmen had been defeated in this ambition as to the Dardanelles by the British Foreign Office and its allies. Great Britain feared that Russia might be a dangerous competitor for the control of



India, and the British statesmen were not willing to see Russian power expand where the Suez Canal might be blocked.

When the Russian statesmen determined that a World War was necessary to "Russia's historic mission," they deliberately planned to bring it about. The first thing necessary was to make alliances against Germany, Austria, and Turkey, who were collaborating commercially to develop a Berlin to Bagdad railroad. The Russians first sought the cooperation of the statesmen in control of the French Foreign Office. This was an easy task, because by article 8 of the French law, July 16, 1875, the President of the French Republic has exclusive authority to negotiate and ratify treaties without the knowledge of the French people, the French Parliament, or even the French Cabinet.

Casimir Perier, the French President, and Delcassé, French Minister of the Foreign Office, in 1892 arranged the treaty by exchange of letters with Mouravieff, Russian Minister of Foreign Office. The few individuals at the head of the two Foreign Offices thus bound the Russian and the French people to attack the German people without notice in the event that Austria (e. g.) should ever mobilize. The Russians knew they could make Austria mobilize. This they did when they were ready in 1914. The treaty referred to says in plain words:

"2. In case the forces of the Triple Alliance, or of one of the powers which are a party to it (e. g., Austria), should be mobilized, France and Russia, at the first indication of the event, and without a previous agreement being necessary, shall mobilize all their forces immediately and simultaneously and shall transport them as near to their frontiers as possible.

"3. . . . These forces shall begin complete action with the greatest dispatch, so that Germany will have to fight at the same time in the east and in the west.

"4. The staffs of the armies of the two countries shall constantly plan in concert in order to prepare for and facilitate the execution of the measures set forth above.

"They shall communicate to each other, in time of peace, all the information regarding the armies of the Triple Alliance which is in, or shall come into, their possession," etc.

Up to the end of the World War neither the Russian nor French Parliaments were ever informed with regard to this treaty. It was the work of a very few men imbued with nationalism, militarism, and imperialism. There was another secret treaty between the Russian and French statesmen as to how they would divide German territory. The French statesmen were to have a free hand on the Rhine, were to recover Alsace-Lorraine, were to get the coal of the Saar Valley, etc. The Russians were to take what they pleased of eastern Germany. The people of Russia and France (much less the people of Germany) did not know of either of these secret treaties. They did not know that they would be sent to their deaths in a gigantic war that would wound or kill 37,000,000 people. With patriotic faith they accepted the leadership of their officials and paid a terrible penalty for it.

The Russian statesmen, in pursuance of this planning of the World War, borrowed something over seven thousand million dollars from the industrious French people, a newspaper campaign being put on for that purpose subsidized by a portion of the very money borrowed from the French people, and expended by French ministers to the subsidized French press, which advocated the purchase of Russian bonds as a sound investment. With the proceeds of this money the Russian statesmen built military railroads up to the German border; built munition plants, and established the greatest army then existing in the world, estimated at 2,230,000 men available for quick action by August 1, 1914. Dobrorolsky, in charge of mobilization, in his article on the mobilization of the Russian Army (see *Revue d'Histoire de la Guerre Mondiale*, April and July, 1923), says that the mobilization of July, 1914, called to the support of Russia approximately 15,000,000 men. At the Franco-Russian military conference of 1913, General Joffre assured the Russian General Staff that France would have ready for quick action 1,500,000 men. There were no natural boundaries to protect German territory on the east.

The German military leaders were thus placed in a condition of extraordinary peril in being required to protect two frontiers against Russia and France, either one of whom had more troops than Germany. The German leaders apparently knew nothing of this secret treaty, but were full of suspicion, and to the extent of their capacity developed their military preparation. The German people were encircled.

The Russian statesmen had also a secret treaty with the statesmen of Rumania, of Bulgaria, of Serbia; a secret understanding with Edward Grey, of the British Foreign Office; a gentleman's understanding with the officials of Italy. France had a gentleman's understanding with Edward Grey, by which the French coast on the west was to be defended by the British Fleet and a British Army of 160,000 men were to be thrown on the French left wing in the event of war, all of which was carried out. Belgium was reliable, and Germany was encircled on land and sea. Germany's allies were Bulgaria (which had a secret treaty with Russia), Turkey (which was isolated), and Austria, which was threatened with internal revolution by the Pan Slav movement. The German leaders did not count on Italy, as Von Moltke explained in his report of 1912. Germany was weak (very weak compared to the forces against Germany), and the German leaders knew it.

The German statesmen made numerous attempts at a friendly rapprochement with the Russian statesmen, with the French statesmen, and with the English statesmen, but were always defeated by French influence. A deliberate part of the strategy of the Russian and French leaders, engineering the World War, was to make the German leaders appear desperate before the world of having willfully launched the World War. It was not very difficult to do this, for in Germany there were a greater or less number of chauvinists, like Von Bernhardt, who praised war as desirable, and the enthusiasm and pride of William II made him at times appear as "rattling the sword" and as a "knight in shining armor." The real truth is that the German people and the German Government and the German Kaiser had shown themselves attached to the doctrine of European peace for over 40 years. They armed for fear and drilled with patriotic pride. Many of the French leaders had never forgiven the German leaders for the humiliation of the Franco-Prussian War of 1870. Many of them were influenced deeply by the desire for revenge, but all this might have come to naught except for the intriguing of the Russian leaders and what they were able to accomplish by secret diplomacy and the cooperation of a very small number of Serbian and French leaders and the conviction that the British leaders, in the event of war, would support France against Germany.

It is perfectly obvious to all students of history that the French people, the English people, the Russian people, the German and Austrian people went into the war moved by a spirit of loyalty and patriotism, and with honest hearts, calling God to witness as to the purity of their intentions. They had been misled by the use of their own money taken from them by taxes and used for propaganda through a subservient press subsidized to support the arguments of the leaders.

To impose on the French Government the secret obligation to cooperate with the Russian leaders in an attack on Germany, it was only necessary to make Austria mobilize or threaten to mobilize. This was not a difficult task. It was accomplished through the Pan-Slav movement. Austria had millions of Slav subjects. The Russian statesmen encouraged Austria to take over the administration of Bosnia and Herzegovina, which contained a Slav population. This action of Austria was treacherously used by the Russian statesmen to stimulate the hostility of the statesmen of Serbia against Austria.

Russian money was lavishly used to subsidize the Serbian press in a campaign of defamation against the Austrian leaders, urging the policy of a greater Serbia uniting all the Slavs under one government. This meant the disintegration and destruction of the Austro-Hungarian Empire. This conspiracy against the Austrian Government, encouraged by the Russian and Serbian leaders, finally led to the murder of Ferdinand, the Crown Prince of Austria, and his consort, on Austrian territory, with the connivance and aid of Serbian officials. The Serbian cabinet were advised of the plot, took no effective steps to prevent it, and did not inform the Austrian Government of the danger.

The Serbian intrigue against the Austrian leadership had reached a point where either it had to be checked or the Austro-Hungarian Empire had to dissolve. Russia's false pretense of a duty to protect Serbia was artificial and without either legal or moral foundation. It was a pretext to a desired war.

Under those conditions Francis Joseph, the venerable Emperor, sent a messenger to see William II on the 5th of July, 1914, at Potsdam. William II, deeply moved by the murder of the crown prince, gave his consent that Austria should deliver a sudden and swift blow to Serbia, believing that it was a "local controversy" and could be maintained as a "local" matter, and that Serbia deserved a rebuke. He had very good reason to believe this, because the other Balkan wars had been held by the great powers as "local" affairs that did not necessarily mean a general European war. For a century it had been the diplomatic practice to treat Balkan disputes as local and subject to adjustment by the powers. Austria in attacking Serbia formally disclaimed any intent to appropriate Serbian territory or to destroy Serbia's sovereignty, and solemnly assured the powers that its sole purpose was to protect the life of the Austrian Government from Serbian intrigue.

Boghtchevitch, in his recent book *The Causes of the War* (p. 68), called attention to an interview given by Sazonoff, Russia's Minister of Foreign Affairs, to the German press October 8, 1912, in which he states emphatically that the Balkan conflicts were regarded by the great powers as "local" matters.

This expression from the head of the Russian Foreign Office in the Berlin press on the occasion of his visit there was a declaration of the highest possible importance in deceiving the German and Austrian leaders. It must be remembered that the German leaders did not absolutely know of the secret treaties to attack Germany in case of Austria's mobilization. That was only assuredly known to the French and Russian leaders, and possibly to some of their allies, and therefore while the blunder made by William II on July 5, 1914, was a very serious one, it did not involve the moral culpability with which it has been charged. William II did not intend to unleash the European war. He did not know that the mobilization of Austria instantly meant a European war, and necessarily would lead to an attack on Germany by Russia, France, Great Britain, and other allies. The German and Austrian leaders tried to localize the conflict. The Russian



and French and Serbian leaders were determined on a general European war.

An American can well understand how Edward Grey would throw his support to France against Germany, with its Prussian military system and Hohenzollern dynasty. British leaders would naturally take the position they believed to be the best British interest. While the record does not show that Edward Grey wished war, even his friends must confess that his actions contributed to it because Russia and France knew that he would support them in case of war, and thus they were encouraged to war, and the German and Austrian leaders did not know that he would oppose them until too late, and thus they were not discouraged in time. The German leaders hoped for neutrality. They tried, being ignorant of the secret treaties and agreements against them, to secure the neutrality of France, Great Britain, and Belgium, when they saw themselves menaced by the Russian mobilization. Of course, they failed.

All the leading European nations contributed in part to the war by the spirit of chauvinism, militarism, and commercial imperialism, but the responsible leaders of Germany did not will the war; did not begin it. They were the victims of the conspiracy of the Russian statesmen who with infinite craft wove a web of encirclement so clever that many of the statesmen of their entente allies had no clear conception of what the Russian intention was.

When Austria delivered its ultimatum to Serbia July 23, 1914 (already anticipated by the European statesmen), the enemies of the German Government were ready for war.

JULY 24, 1914

Previous to the Austrian ultimatum Great Britain had already mobilized its war fleet, over 400 vessels, off Spithead.

On July 24, 1914, before Serbia replied, the British fleet was ready for war. On Sunday morning, August 2, the British regiments marched through London with full kit for the front, in pursuance of the Anglo-French understanding.

On July 24 the Russian Ministerial Council ordered Russian mobilization; confirmed by the crown council. The military officials were determined on a general mobilization, as will appear from the account of Dobrorolsky, the general in charge of Russian mobilization. The pretense that the Russian mobilization was a partial mobilization was merely a piece of Russian hypocrisy. The pretense that Sazonoff really wanted European peace had no foundation of fact. Sazonoff and Izvolski had been planning the European war for years, and the pretense of Sazonoff that the war came at an inauspicious time is not true.

Boghitchevitch, who was the diplomatic representative of Serbia in Paris up to 1907, and then in Berlin up to 1914, says with regard to Sazonoff and the expression of Sazonoff regretting that the war had been launched too soon and at a moment which did not appear to him propitious:

"The insincerity of the minister was complete. But his hypocritical declarations succeeded in making him appear before the European cabinets as an adversary of Russian Pan-Slavism, of which he was on the contrary—the course of events of the war of 1914 demonstrated it—the damned soul."

Boghitchevitch is quite right. Sazonoff's pretense that he favored peace was entirely insincere. He categorically refused in advance to consider any modifying influence from Great Britain or France in Russia's artificial, unfounded controversy with Austria over Serbia—just as Viviani and Poincaré refused to try to exercise any moderating influence on the policy of Sazonoff. Sukomlinov said to Baron Rosen, July 25, 1914, "This time we shall march." Edward Grey expressed the opinion that the Austrian mobilization would, of course, be followed by the Russian mobilization and did not discourage this act of war.

William II and his chancellor were the only ones in very high place who when they discovered a European war in sight strenuously attempted to stop it.

July 24, 1914, was a very historic day. On that day the Belgian Foreign Office sent out a circular to Belgian officials that Belgium was completely mobilized.

On July 24 France ordered from Africa the Moroccan troops and took preliminary steps for mobilizing. On July 24 France had already withdrawn its navy from the Atlantic seaport to the Mediterranean, relying upon British protection.

On July 24 the English Government had been committed by Edward Grey to Russia and France on land and sea (see De Siebert dispatches).

On July 24 Serbia mobilized.

On July 24 Russia's Ministerial Council ordered Russian mobilization.

On July 24 Raymond Poincaré, President of France, and Viviani, Minister of Foreign Office, had just left the Russian court, where they were received with enormous pomp and circumstance, and where they gave assurances to the Russian leaders that France was ready for war and would support Russia. Poincaré and Viviani reached Paris on July 29, and on the night of the 30th the following dispatch was sent (telegram 216 of Izvolski to Sazonoff):

"From military attaché to War Minister. 1 a. m.

"The French War Minister informed me in earnest, hearty tones that the Government is firmly decided upon war and requested me to confirm the hope of the French general staff that all our efforts will be directed against Germany and that Austria will be treated as a negligible quantity."

There can be no manner of doubt about the meaning of this telegram nor the actions of all the Allies in concert on July 24, notwithstanding the fact that with great hypocrisy Viviani and Sazonoff continued to talk about a peaceful settlement, and Poincaré on July 31 published a self-serving letter to the King of England urging peace—an insincerity incredible, but useful, very useful, in convincing the English people and the world of Poincaré's innocence and of the guilt of German leadership in launching the World War. Poincaré was not innocent.

William II, through Von Bethmann-Hollweg, demanded of the Austrian leaders conciliatory steps and was successful in getting the Austrian leaders to make important concessions that would have made peace a certainty if they had been met halfway or in any degree.

They were not met halfway. They were not met at all. The Russian leaders were determined on war, and they had agreed with the French leaders that Germany should be made to appear before the world as the aggressor. They, therefore, refused to stop their general mobilization and had the German military leaders in a position where they saw the general mobilization proceeding and knew that a Russian general mobilization meant war. The Czar himself had given his military subordinates to understand that a general mobilization meant war, and when the general mobilization was issued it was in substance and in effect a declaration of war against Germany. In the Czar's mobilization order of September 30, 1912, it was in terms declared "equivalent to the notification of a state of war with Germany." Sukomlinov said to Baron Rosen July 25, 1914: "Cette fois nous marcherons." The German leaders did not then know of this boast to Rosen, but they did know that Russian mobilization meant war and that if they waited too long it would make it impossible to defend Germany. Their only chance of success lay in superior speed and efficiency. They were coerced into war by this recognized military necessity, as the Russians intended. When Austria was induced to mobilize by the Pan-Slav Serbian and Russian conspiracy upon that instant Russia and France were mutually pledged by the secret treaty of 1892 to attack Germany, and the German leaders would have been fully justified then in declaring a state of war existing if they had known of this secret agreement. Common decency and common fairness in exercising judgment makes it necessary to remember that the German leaders did not know of the secret treaties. But Poincaré knew them, as President of France, and during the two preceding years he had repeatedly and in daily conversations (Un Livre Noir) assured Izvolski and the Russian Government that he would support Russia in a war against Germany.

Prof. Sidney B. Fay (New Republic, October 14, 1923, p. 197) points out and answers Poincaré's pretenses that he was a victim of German aggression. Poincaré's pose that he was the victim of Germany's premeditated assault has no foundation of fact. The evidence against him is now complete, and the more he disclaims the more he finds himself contradicted by the evidence and by an increasing army of scholars.

Poincaré knew from the secret Franco-Russian convention that "the aggressor shall be the power which mobilizes first" (No. 53), and that "mobilization is the declaration of war." (No. 71.)

He knew the Russian mobilization was a secret declaration of war by the secret Franco-Russian agreement. His repeated assertion that William II started the war by declaring a state of war existing (August 1) is contradicted flatly by his secret contract with Russia.

Poincaré flatters the French people and defends himself by an unending repetition of the well-known untruth that "the republican institutions of France are so conceived that no man can substitute his will for that of the people." The French President can do that very thing under the French law of 1875 (CONGRESSIONAL RECORD, December 18, 1923), and Poincaré did that very thing in sustaining and promoting the secret presidential treaty with Russia, where the French people were bound without their knowledge to wage war on the German people.

Even the French Parliament was ignorant of this secret treaty wherein Poincaré's will to war was leading them to ruin. Is Poincaré's flattering assurance that no man "can substitute his will for that of the people" true or false? What became of the "will of the people," who did not even know the secret treaty that bound democratic France to suffer for autocratic Russia, much less approve it?

Poincaré writes that "the foreign policy of France, before and since the war, has been conducted openly and in complete accord with the Parliament."

The secret treaties and archives now available completely disproves this assertion, and that the assertion is not innocently made is demonstrated by Izvolski's dispatches to Sazonoff, March 14, 1912, November 28, 1912, etc.

Poincaré wraps himself in the cloak of "France," and loudly proclaims "France has not wished war," and repeats and repeats and



repeats such truisms, but peace-loving, beauty-loving France is one thing, Poincaré is another thing. Poincaré is not France, and France is not Poincaré.

France desired peace.

Poincaré desired war, and engineered the unfortunate, splendid French people into a gigantic disaster.

Even the people of Alsace-Lorraine were opposed to war (see unanimous resolution May 6, 1913, Diet of Alsace-Lorraine), but Poincaré (of Lorraine) desired war and revenge, and he substituted his will for theirs.

October, 1920, at University of Paris, he said "• • • I have not been able to see any other reason for my generation living except the hope of recovering our lost provinces."

Poincaré attempts to discredit the dispatches between Izvolski and the Russian Foreign Office which photographed Poincaré and his war-provoking policies by calling them "Soviet" and "Bolshevik" publications. Their authenticity and veracity are well established, and even his own friend Sazonoff, now in Paris, does not dare to deny their authenticity.

Poincaré's pose as the apostle of peace and the champion of truth would be amusing if it were not so harmful in misleading the world.

Let us give him credit for believing that he was leading France to a "glorious victory" and into an "era of greater splendor," and that his motives were inspired by patriotism and true love of country. He has played his part. Many men have been misled by the brilliancy of their own imaginations and failed to realize until too late the relentless law of gravity which at last controls all things human.

Poincaré is brilliant, brave, intellectual, and of enormous industry, but he is pitifully weak when standing before the majesty of God's truth.

Many Frenchmen have pointed out Poincaré's responsibility. It was done by Valliant Coutourier, "On the honor of an old French soldier," on the floor of the House of Delegates of France, etc., and by many French writers, such as Pavet, Marchand, Caillaux, Morhardt, Victor Marguerite, Fabre-Luce, Judet, Lazare, DeMartial, Dupin, DeTourey, etc. Un Livre Noir convicts Poincaré completely, but actions speak louder than words, and Poincaré's actions show that he willed the war and helped to plan it with Izvolski and Sazonoff.

But while on July 24 England, France, Belgium, Russia, Serbia were all ready for war, and Russia, Serbia, and France under treaty contract to attack Germany and Austria, William II, who has been painted by propaganda as the monster who wickedly unchained the dogs of war, was quietly cruising in northern waters on the Baltic, apparently unconscious that his complete ruin was impending. He came back on Sunday, the 26th of July, and began his frenzied but useless appeals for European peace. Even Sazonoff tells that the Kaiser begged the Czar to keep his troops from the border, and that William II was "nearly frantic." The die was cast. The war was already in progress. The Entente mobilization was already started. The World War had begun. William II was wasting his breath.

In Current History of May, 1925, Hon. John S. Ewert, the Canadian historian, gives a splendid sketch of the Russian order for general mobilization, in which is clearly set forth in detail the evidence of Russian insincerity, intrigue, and responsibility for the first steps of the war. His exceedingly able work, "The roots and causes of the wars, 1914-1918," brilliantly tells the story of responsibility.

The French Ambassador, Paleologue, suggested that the general staff of Russia take the responsibility of the Russian mobilization, and let the Foreign Office be free to deny mobilization. False peace representations were made to the German leaders, both in Berlin, St. Petersburg, and Paris, with a view (as the official dispatches show) to keeping them quiet until the avalanche was well started. When, on the 31st of July, it became obvious to the military leaders of Germany that the Russian mobilization was threatening them in a very dangerous way, they demanded action by the Kaiser. Under this pressure, the Kaiser demanded the cessation of the Russian mobilization by noon the next day. At 7 p. m., on Saturday, August 1, having received no reply, the Kaiser, through the German ambassador at St. Petersburg, on the ground of Russia's acts, declared a state of war existing between Russia and Germany, and the war was on "officially." He was fully justified by the facts. The Kaiser could only declare a war for defense constitutionally. When he declared solemnly to the German people that the sword was forced in his hand, he spoke the simple truth, but all the world made mock of it, for Germany, instantly blockaded by land and sea, was then painted by world-wide propaganda as having planned and launched the World War for purposes of world conquest, and the world has largely believed this monstrous perversion of truth.

But "Love of truth is the sovereign good of human nature," and in the course of time the truth is mighty and will prevail. "Ye shall know the truth and the truth shall make you free." The lovers of truth are many.

One thing is conceded by everybody. The people of Russia, France, and England, and the people of Germany and Austria had no desire to kill each other or to be killed. The unfortunate people of all these nations went into war in a patriotic spirit, following their leaders,

believing in them, trusting in their wisdom and justice. When the Russians found they had been betrayed, they drove their former leaders from Russia. The emperors and various small kings disappeared.

The Russian and French leaders who brought on this war are of little present consequence. Most of them are dead or in oblivion. The discussion of the causes of the war should not be diverted into stigmatizing individuals. What the world needs is to remember that the spirit of militarism and imperialism led to the war by intrigues, through secret treaties. If the diplomacy of Europe had been open diplomacy this war could not have happened, and the President of the United States, in laying down the conditions of peace on the 14 points, showed great wisdom in demanding open diplomacy. The peace of Europe requires not only a will to peace, but a will to open international intercourse, based on justice, common sense, and truth.

It is convenient to put the control of foreign affairs in an executive office where the records are kept and preserved and known, but it is dangerous to give control over foreign affairs to foreign office officials without parliamentary supervision. The structure of the French Government has this serious defect, and this is largely true of the British Foreign Office. The world has much to be thankful for, nevertheless. The militaristic dynasties have been overthrown, and 55 nations have now assembled in Geneva, pledged to principles of international cooperation on the basis of justice. The people of the United States believe in these fundamental principles, and are largely responsible for the establishment of the system at Geneva.

Not all of our statesmen have yet found themselves willing that our country should join the League of Nations because of the discovery of the secret agreements and selfish intrigues of Europe, and lack of good faith in dealing with the United States. Certain European statesmen should remember that on the 4th of November, 1918, they agreed on the 14 points, and then, immediately that the German people forced their leaders to surrender, the Entente leaders betrayed these promises in a number of important particulars. (See CONGRESSIONAL RECORD December 18, 1923, p. 376.)

Nevertheless, even these very Governments have been since the war increasingly useful in promoting the doctrines of liberty and justice, and in opening a new era of international understanding, international peace, and international good will through the League of Nations. They have our sympathy and respect in such a policy.

Let us, if possible, forget the weaknesses and errors of leaders and concentrate our attention upon the principles by which the future of the world may be safeguarded. Let us vigorously help to establish the doctrine of open diplomacy, parliamentary control of foreign affairs, mutual pledges of security, peaceful settlement of all disputes, and then international disarmament is made more practicable and the people may make it impossible for the ambition, fear, vanity, or other folly of human leadership again to crucify mankind.

#### EXHIBIT A

##### SOME RECENT WORKS ON THE ORIGINS OF WAR

1. H. H. Asquith, *The Genesis of the War*. London, 1923. 304 pp.
2. Corrado Barbagallo, *Come si Scatenò la Guerra Mondiale*. Rome, 1923. 166 pp.
3. Frederick Bausman, *Let France Explain*. London, 1922. 264 pp.
4. C. A. Beard, *Cross-Currents in Europe To-day*. Boston, 1922. 278 pp.
5. Sir George Buchanan, *My Mission to Russia and Other Diplomatic Memories*. London, 1923. 2 vols.
6. Winston S. Churchill, *The World Crisis, 1911-1914*. London, 1923. 2 vols.
7. Edith Durham, *The Serajevo Crime*. London, 1925.
8. John S. Ewart, *The Roots and Causes of the War*. New York, 1925. 2 vols.
9. A. Fabre-Luce, *La Victoire*. Paris, 1924. 428 pp. (Now translated, Knopf. "The Limitations of Victory.")
10. Sidney B. Fay, "New Light on the Origins of the World War," in *American Historical Review*, July, 1920; October, 1920; January, 1921.
11. Sidney B. Fay, "Serbia's responsibility for the World War," in *New York Times Current History Magazine*, October, 1925.
12. Sidney B. Fay, "The black hand plot that led to the World War," in *New York Times Current History Magazine*, November, 1925.
13. G. P. Gooch, *A History of Modern Europe, 1878-1920*. New York, 1923. 728 pp.
14. Otto Hammann, *Deutsche Weltpolitik, 1890-1912*. Berlin, 1924. 280 pp.
15. E. F. Henderson, *The Verdict of History: The Case of Sir Edward Grey*. Monadnock, N. H., 1924.
16. Karl Kautsky, *Outbreak of the World War*. German documents collected by Karl Kautsky and edited by Max Montgelas and Walther Shucking. New York, 1924. 688 pp.
17. Earl Loreburn, *How the War Came*. London, 1919. 340 pp.
18. Victor Marguerite, *Les Criminels*. Paris, 1925. 356 pp.

19. Max Montgelas, *The Case for the Central Powers*. New York, 1925. 255 pp.
20. E. D. Morel, *The Secret History of a Great Betrayal*. London, 1922. 47 pp.
21. Mathias Morhardt, *Les Preuves. Le Crime de Droit Commun. Le Crime Diplomatique*. Paris, 1924. 840 pp.
22. Maurice Paléologue, *La Russie des Tsars Pendant la Grande Guerre*. Paris, 1922. 3 vols.
23. Alfred Pevet, *Les Responsables de la Guerre*. Paris, 1921. 520 pp.
24. Raymond Poincaré, *The Origins of the War*. London, 1922. 230 pp.
25. A. F. Pribram, *The Secret Treaties of Austria-Hungary, 1879-1914*. Edited by A. C. Coolidge. Cambridge, 1922-23. 308, 271 pp.
26. Pierre Renouvin, *Les Origines Immédiates de la Guerre*, 28 Juin-4 Aout, 1914. Paris, 1925. 226 pp.
27. Baron Schilling, *How the War Began. The Diary of Baron Schilling, chief of the chancellery of the Russian Foreign Office in 1914*. London, 1925. 122 pp.
28. Stanojević, *Die Ermordung des Erzherzogs Franz Ferdinand*. Frankfurt, 1923. 66 pp.
29. F. Stieve, *Isvolsky and the World War*. New York, 1925. 254 pp.
30. John Kenneth Turner, *Shall It Be Again?* New York, 1922. 448 pp.

## EXHIBIT B

*Some recent publications by the Library of Labor, 96 Quai Jemmapes, Paris (10), France, on the origins and responsibilities of the war*

France	
1. Gustave Dupin, <i>Response a Poincaré</i> .....	1. 00
2. Boghitchévitch, <i>Les Causes de la Guerre</i> .....	7. 50
3. Converset (Colonel), <i>Trois ans de diplomatie secrete</i> .....	6. 75
4. Georges Demartial, <i>Comment on mobilisa les consciences</i> .....	7. 50
5. Gustave Dupin (Ermenonville), <i>Juillet 1914</i> .....	3. 50
6. <i>Conference sur les responsabilites</i> .....	2. 00
7. <i>Le Regne de la Bete</i> .....	7. 00
8. A. Ebray, <i>La paix malpropre</i> .....	35. 00
9. Gouttenoire De Toury, <i>Poincaré a-t-il voulu la guerre?</i> .....	4. 50
10. Jaures et le Parti de la guerre.....	6. 50
11. Lazare, <i>A l'origine du mensonge</i> .....	8. 00
12. Rene Marchand, <i>La Condamnation d'un regime</i> .....	4. 00
13. Victor Margueritte, <i>Les Criminels</i> .....	8. 50
14. Millon, <i>La Genese de la guerre</i> .....	2. 25
15. Montgelas (General comte), <i>Question des responsabilites</i> .....	1. 25
16. <i>Un plaidoyer allemand (Guide des responsabilites)</i> .....	12. 00
17. Mathias Morhardt, <i>Les Preuves</i> .....	10. 00
18. Nitti, <i>La Paix</i> .....	12. 00
19. A. Pevet, <i>Les Responsables</i> .....	15. 00
20. E. Renauld, <i>Histoire populaire de la guerre (3 volumes parus)</i> .....	21. 50
21. <i>Vers la Verite, Une annee parue</i> .....	15. 00
DOCUMENTS	
22. <i>Le Livre Noir (Archives imperiales russes. Correspondance secrete d'Isvolsky)</i> , 2 volumes.....	30. 00
23. <i>Tableaux d'Histoire, par Guillaume II (2 volumes)</i> .....	50. 00

## HANNAH PARKER

Mr. PHIPPS. Mr. President, during the call of the calendar yesterday a small bill in which I was interested was passed over, objection having been made by the Senator from Utah [Mr. KING]. I now call his attention to the bill, which is Order of Business 229, House bill 3624. The Senate has passed this bill on two different occasions, and now that the House has passed it I think the Senate should again approve it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3624) for the relief of Hannah Parker.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

## RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 43 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 16, 1926, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate April 15 (legislative day of April 5), 1926*

## FOREIGN SERVICE OFFICERS

## UNCLASSIFIED

Dale W. Maher.  
Edward J. Sparks.  
William Clarke Vyse.

## VICE CONSUL OF CAREER

Dale W. Maher.  
Edward J. Sparks.  
William Clarke Vyse.

PROMOTIONS IN THE NAVY  
TO BE LIEUTENANT COMMANDERS

Leverett S. Lewis.  
Henry P. Burnett.  
Otto Nimitz.

## TO BE LIEUTENANTS

James E. Nolan. Walton W. Smith.  
Jewett P. Moncure. Hilyer F. Gearing.

## TO BE MEDICAL INSPECTOR

Abraham H. Allen.

## TO BE SURGEONS

John LeR. Shipley. James D. Rives.  
Claude W. Colonna. George A. Alden.  
Louis Iverson.

## TO BE CHIEF ELECTRICIAN

Claude H. N. Dalley.

## POSTMASTERS

## ALABAMA

Henry H. Farrar, Blocton.  
Frank M. Johnson, Haleyville.  
George C. Adams, Ragland.

## CONNECTICUT

Helen G. Miller, Coscob.

## MINNESOTA

Pearl M. Hall, Ah-gwah-ching.  
Clifton M. Krogh, Argyle.  
Johannes A. Bloom, Chisago City.  
William Edmond, Claremont.  
Edgar Stivers, Dodge Center.  
Charles F. Whitford, Henderson.  
Edith A. Marsden, Hendrum.  
William Pennar, Laporte.  
Frank J. Machacek, Lonsdale.  
Charley P. Fossey, Lyle.  
Ole E. Nelson, Marietta.  
George M. Young, Perham.  
William J. Colgan, Rosemount.  
Harvey Harris, Vesta.  
Francis H. Densmore, Wilmont.

## MONTANA

Mary J. Tasa, Flaxville.  
Blanche E. Breckenridge, Grassrange.  
Leon E. Phillips, Highwood.  
Rose M. Sargent, Nashua.  
Letta Conser, Plevna.  
Marie I. Moler, Reedpoint.

## PENNSYLVANIA

William Dickinson, Factoryville.  
James W. Hatch, North Girard.

## WASHINGTON

Arthur H. Eldredge, Colfax.  
Edwin O. Dressel, Metaline Falls.

## HOUSE OF REPRESENTATIVES

THURSDAY, April 15, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Remind us, our blessed heavenly Father, that no good thing wilt Thou withhold from them that walk uprightly. By the memory of the past we are encouraged to come to Thee. Touched with a feeling of our infirmities—Thou knowest us. Do Thou abide with us according to our requirements, and make our weakness to become our strength. Whatever the exactions and the responsibilities, teach us to be patient and faithful. If our liberties, our pleasures, or self-indulgence hold us from Thee, the Lord pity us and give us the freedom of our best selves. Keep Thou our pathway clear, our step firm, and may we never catch up with our vision. More and more may our lives become beautified in kindness, charity, and friendship and reflected in unselfish living. Amen.

The Journal of the proceedings of yesterday was read and approved.